

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



ITEM
1.2
(ID # 4689)

MEETING DATE:

Tuesday, July 25, 2017

FROM : TLMA-PLANNING:

SUBJECT: TRANSPORTATION & LAND MANAGEMENT AGENCY/PLANNING: RECEIVE AND FILE THE PLANNING COMMISSION'S DECISION TO APPROVE CONDITIONAL USE PERMIT NO. 3755 - CEQA EXEMPT - Applicant: Roger & Sharon Paquette – First Supervisorial District – Lakeland Village Zoning Area – Elsinore Area Plan: Community Development: Light Industrial (CD:LI) (0.25 to 0.60 FAR) and Rural: Rural Mountainous (R:RM) (10 Acre Minimum) – Location: South of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, and east of Turner Street – 2.95 Gross Acres – Zoning: Manufacturing - Service Commercial (M-SC) – REQUEST: A Conditional Use Permit to extend the entitlement of an existing open air market (Lakeland Outdoor Market), on five parcels, totaling 2.95 gross acres. APN: 371-170-022, 371-170-026, 371-170-027, 371-170-028, and 371-170-031. Applicant Fees 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 April 5, 2017.

ACTION: Consent

Charissa Leach, Assistant TLMA Director

7/13/2017

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Jeffries, seconded by Supervisor Tavaglione 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, Perez and Ashley
Nays: None
Absent: None
Date: July 25, 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**

FINANCIAL DATA	Current Fiscal Year:	Next Fiscal Year:	Total Cost:	Ongoing Cost
COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
NET COUNTY COST	\$ N/A	\$ N/A	\$ N/A	\$ N/A
SOURCE OF FUNDS: Applicant Fees 100%			Budget Adjustment: N/A	
			For Fiscal Year: N/A	

C.E.O. RECOMMENDATION: Approve

BACKGROUND:

Summary

The Conditional Use Permit extends the entitlement of the existing open air market (Lakeland Outdoor Market) an additional 18 years, set to expire July 1, 2033. The project is on five parcels, totaling 2.95 gross acres. The project is located within the Southwest Area Plan, more specifically this project is located south of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, and east of Turner Street.

The Planning Commission considered the project on April 5, 2017. Planning Staff provided clarification to explain the number of total years the project would be extended and clarified the definition of an "Outdoor Market." Planning Staff stated the correction of one condition that referenced the previous Conditional Use Permit and not the present case. The Planning Commission instructed Planning Staff to add an additional year and a half to the site improvement requirements. There were no comments from the public. The Planning Commission approved the project with a 3-0 vote (Commissioners Bill Sanchez and Aaron Hake, absent).

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 Residents and Businesses

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

SUPPLEMENTAL


Additional Fiscal Information

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

All fees are paid by the applicant. There is not a General Fund obligation.

ATTACHMENTS:

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


Tina Grande, Principal Management Analyst

7/18/2017



**PLANNING COMMISSION
MINUTE ORDER
APRIL 5, 2017**

I. AGENDA ITEM 4.2

CONDITIONAL USE PERMIT NO. 3755 – Exempt from the California Environmental Quality Act (CEQA), Section 15303 (New Construction or Conversion of Small Structures) – Applicant: Roger and Sharon Paquette – Engineer/Representative: Brian Paquette – First Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan: Community Development: Light Industrial (CD-LI) (0.25 to 0.60 FAR) and Rural: Rural Mountainous (R-RM) (10 Acre Minimum) – Zoning: Manufacturing: Service Commercial (M-SC) – Location: Southerly of Grand Avenue, westerly of Lucerne Street, northerly of Brightman Avenue, and easterly of Turner Street – 2.95 Gross Acres.

II. PROJECT DESCRIPTION:

A Conditional Use Permit to re-establish an open air market (Lakeland Outdoor Market), on five (5) parcels, totaling 2.95 acres.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Dionne Harris at (951) 955-6836 or email at dharris@rivco.org.

Spoke in favor:

Brian Paquette, Representative, 2433 Eastridge Loop, Chula Vista, 91915, (951) 672-7904

No one spoke in opposition or in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Kroenke, 2nd by Commissioner Shaffer

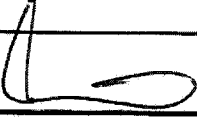
A vote of 3-0 (Commissioner Hake and Commissioner Sanchez Absent)

FOUND the project exempt from the California Environmental Quality Act (CEQA); and

APPROVED CONDITIONAL USE PERMIT NO. 3755.

4 . 2
Agenda Item No.:
Area Plan: Elsinore
Zoning District: Lakeland Village
Supervisory District: First
Project Planner: Dionne Harris
Planning Commission: April 5, 2017

CONDITIONAL USE PERMIT NO. 3755
CEQA Exempt – Section 15303
Applicant: Roger & Sharon Paquette
Representative: Brian Paquette



Juan C. Perez
TLMA Director

COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION: A Conditional Use Permit to extend the entitlement of an existing open air market (Lakeland Outdoor Market).

PROJECT LOCATION: The project site is generally located south of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, east of Turner Street, and is within the Elsinore Area Plan, on five parcels, totaling 2.79 gross acres.

BACKGROUND: Lakeland Outdoor Market is characterized as an open air market and has been in continuous operation for approximately 20 years. The applicant has provided the following description of the use:

"For nearly 20 years LOM has been a multi-cultural, family-friendly attraction that offers a unique shopping experience, homemade Mexican food, games for the kids, and celebrations at the holidays. It has also presented an economic opportunity for at least 100 families, a few of whom who have sold at the market since its inception. The market has never sold alcohol and does not intend to do so in the future. Because of its family-owned environment, small growth philosophy, cultural sensitivity, and strong ties to the local community, LOM is considered an asset to the local area by many. In its 20 year history there has never been a major injury, fight, or complaint known to the owners. The current and proposed extension of the property's use as an outdoor market on Friday, Saturday, and Sunday is consistent with its M-SC Zoning Classification provided a conditional use permit is granted."

Lakeland Outdoor Market was previously approved under Conditional Use Permit ("CUP") No. 3236 on March 3, 1998, which provided for a 5 year operational lifespan, set to expire on March 3, 2003. Prior to the 2003 expiration, the owners of the market submitted a CUP revision application for the purpose of extending the lifespan. The revised CUP was approved on October 7, 2003, which provided for an additional 10 year lifespan, set to expire on July 1, 2013. Just prior to the 2013 expiration date, the owners submitted a second CUP revision application, requesting further extension of time for the market. During the initial review process of this second time extension request, the County determined that a new CUP would be more appropriate than another revision, due to the consideration for consistency of the use itself, as it relates to the uses allowed within the underlying Zoning Classification. As a result, CUP No. 3755 was established.

Approval of this CUP will result in a zoning consistency finding, a 20 year extension of time, set to expire on July 1, 2033, and some minor improvements to the property. Minor improvements include replacing

the existing chain link fence along Grand Avenue with a wrought iron fence, removing an unpermitted storage building, and installing some additional landscaping along Grand Avenue, as well as within the existing parking areas.

AB 52 Tribal Consultation

During the initial review stage of this project, it was anticipated that a Negative Declaration of environmental effects would be prepared. As a result, and pursuant to AB 52, notices regarding this project were sent to all requesting Tribes. 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 entitle an existing use.

Sphere of Influence

The project site is located within the City of Lake Elsinore 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 Lake Elsinore regarding this project.

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #5): | Light Industrial (LI) |
| 2. Surrounding General Plan Land Use (Ex. #5): | South – Rural Mountainous (RM), West – Light Industrial (LI), North – Commercial Retail (CR), East – Estate Density Residential (EDR) |
| 3. Existing Zoning (Ex. #2): | Manufacturing-Service Commercial (M-SC) |
| 4. Surrounding Zoning (Ex. #2): | South – General Residential (R-3), West – Manufacturing-Service Commercial (M-SC), North – General Commercial (C-1/C-P) and Regulated Development Areas (R-D), East – Manufacturing-Service Commercial (M-SC) |
| 5. Existing Land Use (Ex. #1): | Lakeland Outdoor Market |
| 6. Surrounding Land Use (Ex. #1): | South – Residential, West – Trailer Manufacturing and Storage, North – Residential, East – Residential and Auto Repair |
| 7. Project Size: | Total Acreage: 2.79 gross acres |
| 8. Environmental Concerns: | CEQA Exempt – Section 15303 (New Construction or Conversion of Small Structures) |

RECOMMENDATIONS:

FIND the project exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions incorporated in the staff report; and,

APPROVE **CONITIONAL USE PERMIT NO. 3755**, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

1. The project site has a General Plan Land Use Designation of Community Development: Light Industrial (0.25-0.60 FAR). The Light Industrial land use designation allows for a variety of industrial and related uses, including warehousing, distribution centers, and supporting retail uses. The project site is also located within the Elsinore Area Plan.
2. The project site is surrounded by properties which have a General Plan Land Use Designation of Rural Mountainous (RM) to the south, Light Industrial (LI) to the west, Commercial Retail (CR) to the north, and Estate Density Residential (EDR) to the east.
3. The project site has a Zoning Classification of Manufacturing-Service Commercial (M-SC).
4. The project site is surrounded by properties which have a Zoning Classification of General Residential (R-3) to the south, Manufacturing-Service Commercial (M-SC) to the west, General (C-1/C-P) and Regulated Development Areas (R-D) to the north, and Manufacturing-Service Commercial (M-SC) to the east.
5. The onsite existing open air market (Lakeland Outdoor Market) has been in continuous operation for approximately 20 years. The market was previously approved under Conditional Use Permit No. 3236 on March 3, 1998, which provided for a 5-year operational lifespan, expired on March 3, 2003. A revision to this Conditional Use Permit (CUP03236R1) was approved on October 7, 2003 by the Board of Supervisors and provided for an additional 10 year lifespan, establishing an expiration date of July 1, 2013.
6. On June 19, 2013, the owners of Lakeland Outdoor Market submitted an application for the second revision to Conditional Use Permit No. 3236, for the purpose of further extending its lifespan for an additional 20 years. During the initial review process, the County determined that a new Conditional Use Permit would be more appropriate than a second revision, due to the consideration for consistency of the use itself, as it relates to the uses allowed within the underlying zone. As a result, Conditional Use Permit No. 3755 was established.
7. Pursuant to Ordinance No. 348, Article XI M-SC Zone (Manufacturing-Service Commercial), Subsection G, "Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls."
8. While open air markets are not specifically listed in Ordinance No. 348, Article XI M-SC Zone (Manufacturing-Service Commercial) as an allowed use, the Planning Director finds that an open air market is of the same character and intensity as uses listed in Ordinance No. 348, Article XI, Section 11.2, Subsection C, for the following reasons:
 - a. Drive-in theaters are allowed within the M-SC Zone (Manufacturing-Service Commercial), subject to Conditional Use Permit approval.

- b. An open air market is similar to a drive-in theater, as both are considered to be outdoor entertainment, include similar types of assemblies, and offer commercial/retail sales of goods and services.
 - c. Both uses have certain operational parameters. Movie theaters are typically open in the afternoons and at night on a daily basis, whereby the swap meet only operates Saturday and Sunday, from 6:00am to 5:00pm, which is less of an impact.
 - d. The Lakeland Outdoor Market encompasses 2.79 acres of area, whereby typical drive-in theaters can range in area from 5 to 20 acres, depending upon how many screens are available. Given the much smaller footprint of the Lakeland Outdoor Market area and fewer hours of operation, relative to a typical drive-in theater, traffic and parking impacts are considerably less. Furthermore, the Lakeland Outdoor Market operates only during day time hours, which eliminates any potential night time noise impacts.
 - e. As a result, the Lakeland Outdoor Market is considered be a similar use as drive-in theaters. Also, based upon the smaller footprint and operating area of the Lakeland Outdoor Market, relative to a typical drive-in theatre, the use is less intensive.
9. Accordingly, for the reasons above, the Planning Director has determined that open air markets are permitted uses within the M-SC Zone (Manufacturing-Service Commercial), subject to Conditional Use Permit approval.
10. The Lakeland Outdoor Market is consistent with the development standards set forth in the Manufacturing-Service Commercial (M-SC) Zoning Classification of Ordinance No. 348, pursuant to the following:
- a. Lot Size – The project site encompasses five separate parcels, totaling 2.79 gross acres, with the smallest lot being 0.48 acres (20,908 square feet). The Manufacturing-Service Commercial (M-SC) Zoning Classification requires a minimum lot size of 10,000 square foot. This project does not include a subdivision and no existing lot is less than 10,000 square feet, which meets the development standard requirement.
 - b. Setbacks – Based upon the Zoning Classification of the project site and the adjacent Zoning Classifications, Ordinance No. 348 allows for structures to be located on the property line, with no required setbacks. Some of the existing onsite structures are located on the side property line, which is allowed under this development standard. When the M-SC Zone is located adjacent to the R-3 Zone, structures are required to have a minimum setback of 25 feet. The portion of the project site towards the southeast is adjacent to an R3 Zoned property to the south. However, this part of the project site is used for parking only and there are no structures, which meets the development standard.
 - c. Height Requirements – The maximum building height allowed within this Zoning Classification is 40 feet. No existing onsite structure exceeds 40 feet, which meets the development standard.
 - d. Walls – The northern portion of the project site abuts a residential Zoned area. That area backs onto a parking area for the market. The property line contains a chain link fence and adequate landscape material to provide a sufficient buffer, which meets the development code requirement. Pursuant to the Manufacturing-Service Commercial (M-SC) Zoning Classification, no other walls are required.

- e. Landscaping – At minimum, 10% of the project site is required to be landscaped. The site contains areas that can accommodate this 10% minimum. This project has been conditioned to install additional landscaping along the frontage and within the parking areas, which results in meeting the 10% minimum development standard.
 - f. Parking Areas – The market is categorized as an uncovered sales area, which requires 1 parking space per 1,000 square feet of sales area. The uncovered sales area of the Lakeland Outdoor Market is approximately 60,000 square feet, which requires 60 parking spaces. The project site has 113 parking spaces, which meets the development standard.
 - g. Trash Collection Areas – The project site includes a trash collection area towards the rear of the site, outside of public view, which meets the development standard.
 - h. Outside Storage Areas – The outside storage area is located towards the rear of the site and is adequately screened from public view, meeting the development standard.
 - i. Utilities – All applicable utilities are adequately screened from public view, meeting the development standard.
 - j. Mechanical Equipment – All applicable mechanical equipment is adequately screened from public view, meeting the development standard.
 - k. Lighting – The site includes adequate lighting to accommodate the outdoor market. All lighting is directed downward onto the site, avoiding light spillage into the surrounding areas, meeting the development standard.
11. The project site is located within the City of Lake Elsinore sphere of influence area and was submitted to the City for their review. The County received no comments regarding this proposed Conditional use Permit.
12. The project site is not located within a Criteria Cell of the Western Riverside Multi-Species Habitat Conservation Plan.
13. The project conforms to Section 15303, New Construction or Conversion of Small Structures, of the State CEQA Guidelines and is exempt from CEQA. A project is exempt pursuant to Section 15303 if it consists of: construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; or the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: (c) in urbanized areas, four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.
- a. While there is no construction proposed as part of the proposed project, even if there were, the project would be exempt under Section 15303, which applies because this entails a conversion from a previously permitted but currently illegal use to a legal use of an open air market (Lakeland Outdoor Market). The project site includes several storage

containers not exceeding 10,000 square-feet in area and is located primarily within an urbanized area, immediately adjacent to the City of Lake Elsinore boundary. Furthermore, the existing onsite Lakeland Outdoor Market has been in continuous operation for approximately 20 years. No additional infrastructure or utilities are required to be constructed in conjunction with this project. Lastly, due to the small scale of the existing commercial use, no significant amounts of hazardous materials are generated at the site. The project scope involves the entitlement extension of an existing open air market. No new construction or ground disturbance is proposed with this project, other than some minor site improvements, including perimeter fencing upgrade.

- b. Because all aspects of the project are exempt under Section 15303, 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 15303 exemption applies.

CONCLUSIONS:

1. The proposed project is in conformance with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Manufacturing-Service Commercial (M-SC) 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 compatible with the present and future logical development of the area.
5. The proposed project is exempt from the provisions of CEQA, pursuant to Section 15303 (New Construction or Conversion of Small Structures).
6. The proposed 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. A City boundary; or
 - b. A WRCMSHCP criteria cell or conservation area; or
 - c. An Airport Influence Area ("AIA"); or
 - d. A County Service Area ("CSA"); or
 - e. A special flood hazard area, area drainage plan, or dam inundation area.
3. The project site **is** located within:
 - a. The City of Lake Elsinore sphere of influence; and
 - b. A high fire area; and

- c. A local responsibility area for fire protection services; and
 - d. A half-mile of a fault line and fault zone; and
 - e. An area with very high liquefaction potential; and
 - f. An area susceptible to subsidence.
4. The subject site is currently designated as Assessor's Parcel Numbers: 371-170-022, 371-170-026, 371-170-027, 371-170-028, and 371-170-031.

RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03755

VICINITY/POLICY AREAS

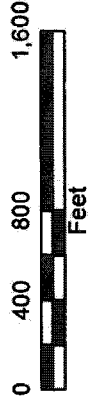
Supervisor: Jeffries
District 1

Date Drawn: 10/26/2016
Vicinity Map



Zoning Dist: Lakeland Village

Author: Vinnie Nguyen



DISCLAIMER: On October 1, 2004, the County of Riverside adopted a new General Plan. The new General Plan contains different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department at (951) 966-2477. (Riverside County) on October 1, 2004.

RIVERSIDE COUNTY PLANNING DEPARTMENT

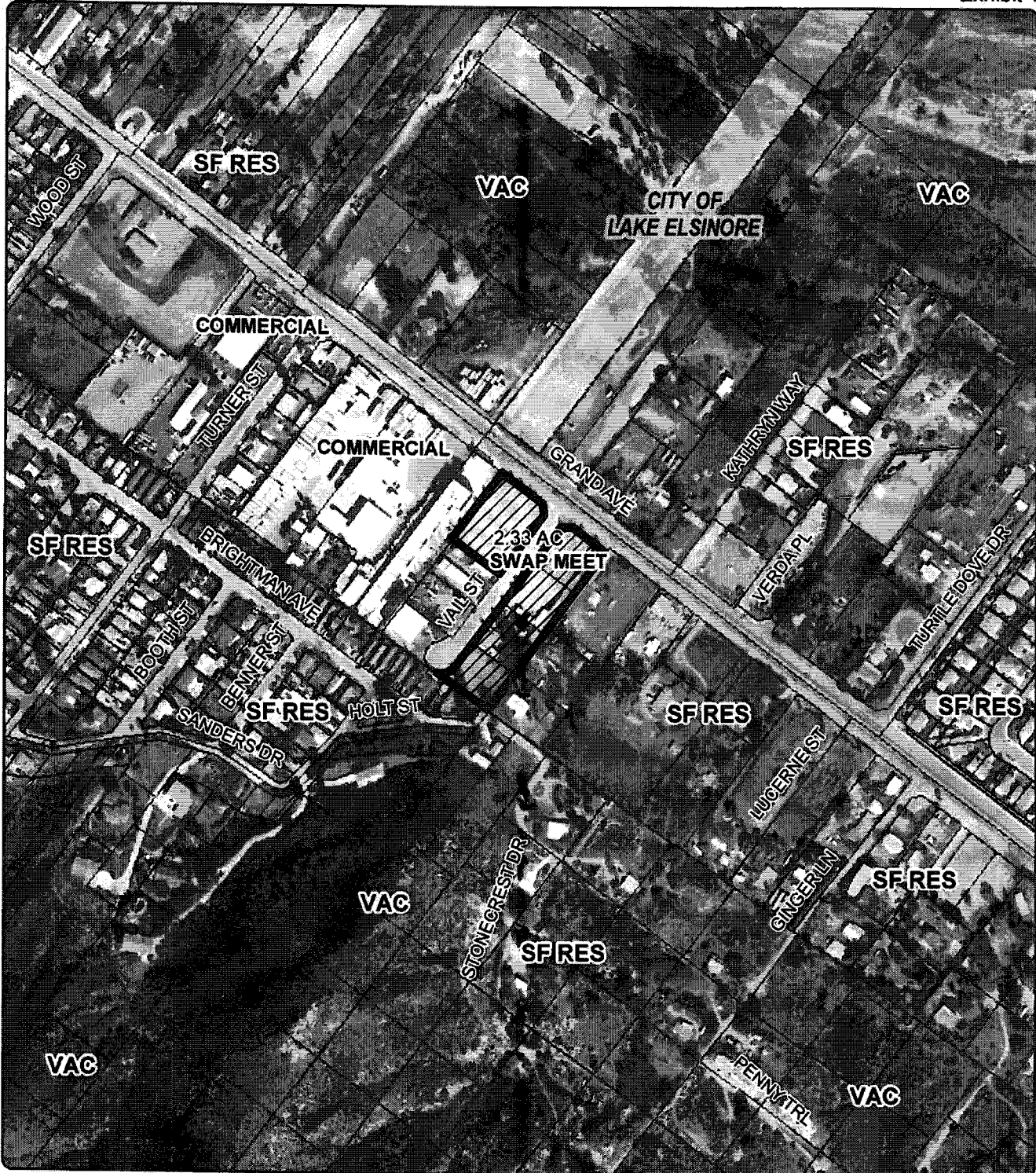
CUP03755

LAND USE

Supervisor: Jeffries
District 1

Date Drawn: 10/27/2016

Exhibit 1



Zoning Dist: Lakeland Village

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) 863-8277 (Eastern County) or Website <http://planning.schae.org>

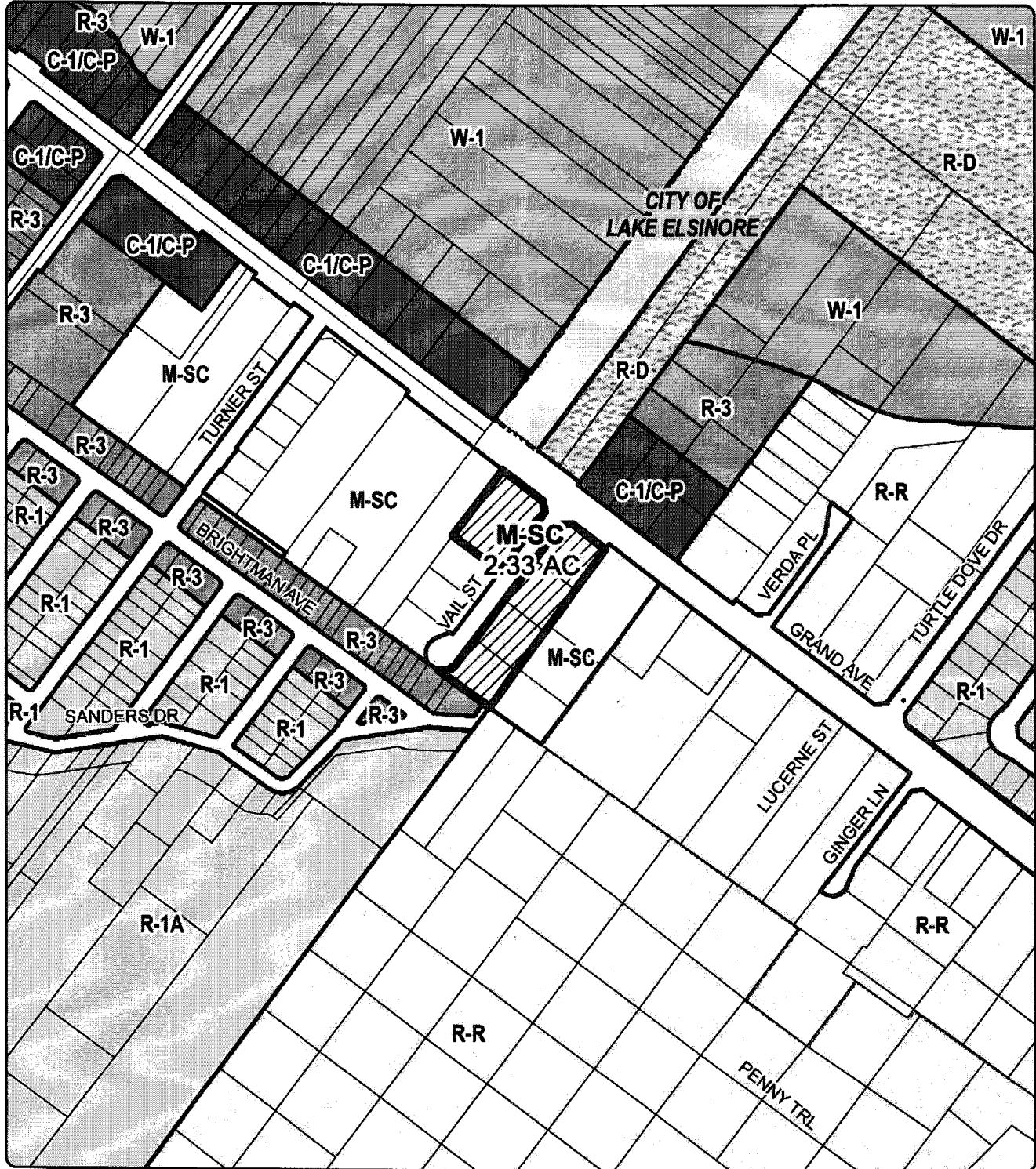
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03755

EXISTING ZONING

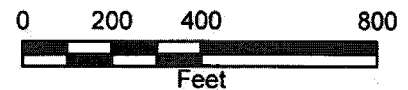
Supervisor: Jeffries
District 1

Date Drawn: 10/27/2016
Exhibit 2



Zoning Dist: Lakeland Village

Author: Vinnie Nguyen



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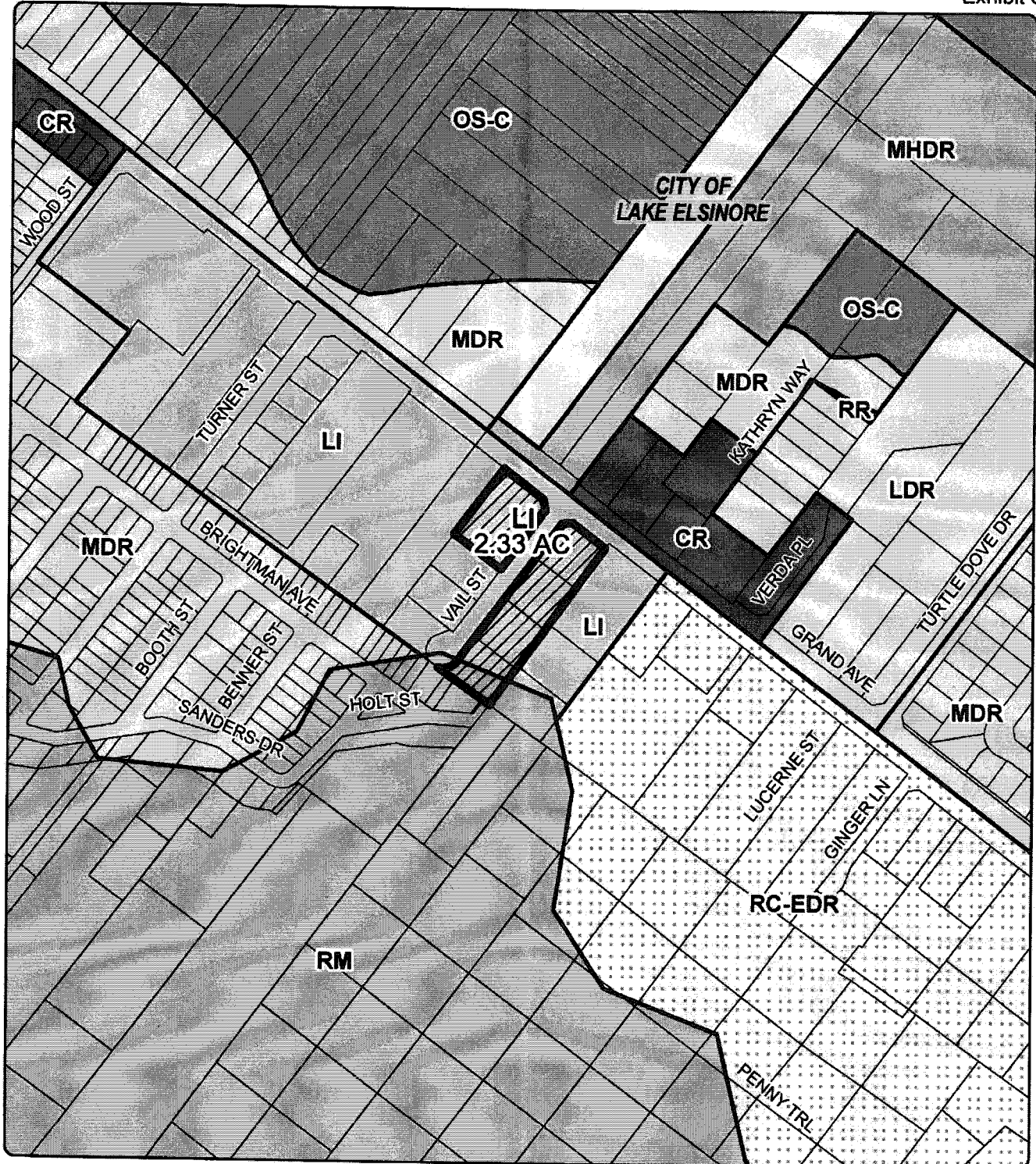
RIVERSIDE COUNTY PLANNING DEPARTMENT

CUP03755

EXISTING GENERAL PLAN

Supervisor: Jeffries
District 1

Date Drawn: 10/27/2016
Exhibit 5



Zoning Dist: Lakeland Village

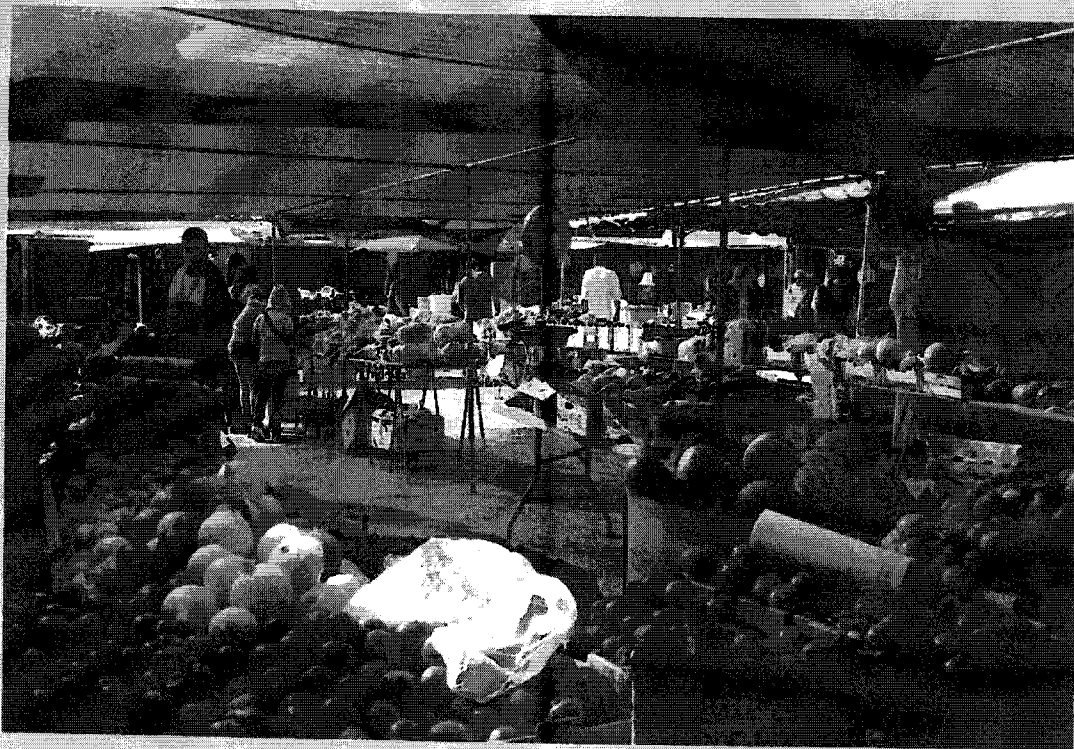
Author: Vinnie Nguyen



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Lakeland Outdoor Market



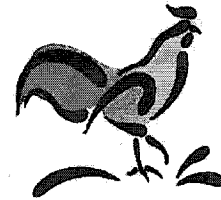
"Celebrating Our 20th Anniversary in 2014"

Lakeland Outdoor Market

33100 Vail Street

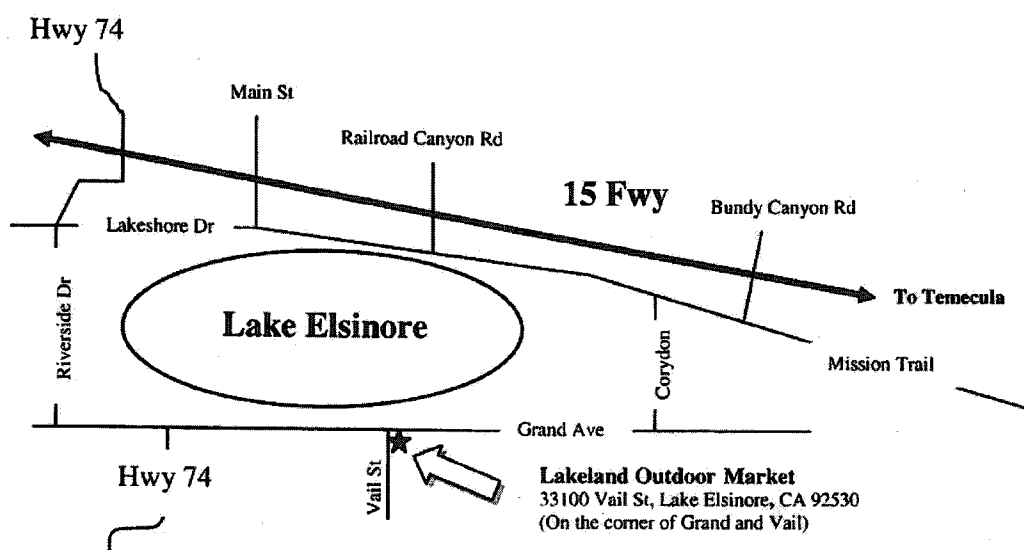
Lake Elsinore, CA 92530

951-678-SWAP (7927)



We are a small,
family-owned
outdoor marketplace
founded in 1994.

We are open
Saturdays and
Sundays. Sunday is
the busy day with
over 100 vendors.



lakelandoutdoormarket@facebook

Lakeland Outdoor Market in the Community



Lakeland Outdoor Market has been a family-oriented attraction for nearly 20 years. Kids look forward to a myriad of activities especially at the holidays.



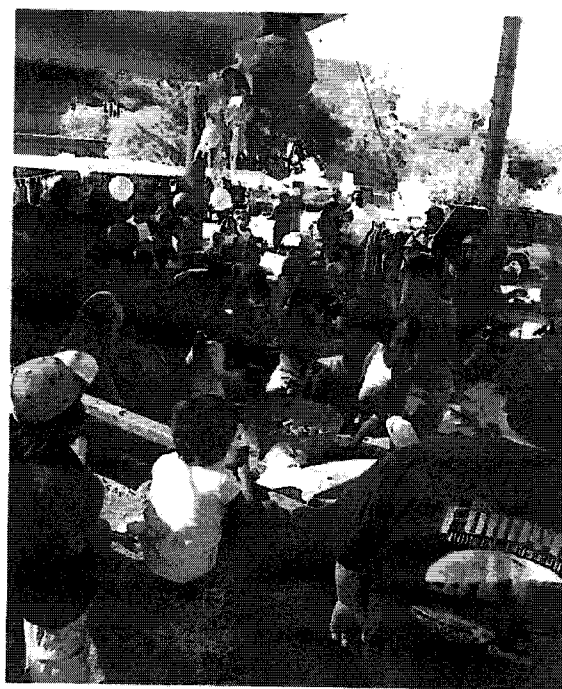
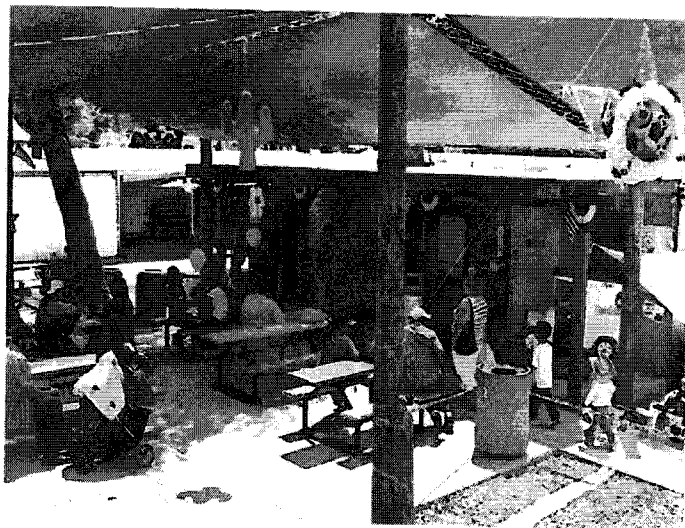
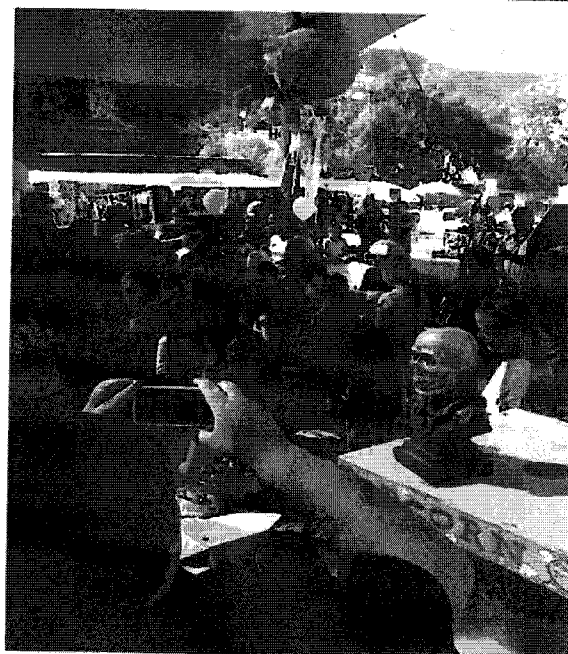
At Lakeland Outdoor Market we take pride in our involvement in the community – we help church groups, youth groups, and individuals that need a helping hand.



Great Food, Great Fun



The Lakeland Outdoor Market serves fresh Mexican and American food. Its restaurant has never had less than an "A" rating from the Department of Environmental Health. Inspectors have repeatedly said that Lakeland Outdoor Market should be the benchmark for other swap meet food facilities.



Providing Jobs & Economic Opportunities



Lakeland Outdoor Market provides economic opportunities for more than 100 families. And shoppers enjoy great savings on produce, clothing, electronics, and much more.



Overview – Operational Plan

Lakeland Outdoor Market (LOM) is an open-air market that is currently permitted to operate on Friday, Saturday, and Sunday from 6 am to 5 pm. Currently the business only operates on Saturday and Sunday. The marketplace attracts both vendors and buyers with most activity occurring on Sunday. The business is owned and operated by Roger and Sharon Paquette with the help of their two sons Ron and Brian. Hired employees include a full-time swap meet manager who is in charge of operations, maintenance, and security. Additionally, LOM hires six part-time food workers who work in the snack bar. The owners and at least one of their sons are always on site on Sundays to provide additional supervision.

Vendors have the option of renting a 20' x 20' space or they may rent a steel storage container on a monthly basis. Most of the storage containers are 8' x 20' in size and are situated on the perimeters of the property except along Grand Avenue. Storage containers are only used to store the vendors' merchandise from week to week. Vendors are not allowed to use the containers as selling area -- rather, there is a 10' x 20' space in front of the container that they sell out of. Vendors that rent a 20' x 20' space generally park their vehicle in the space itself, and vendors who rent a storage container park their vehicle in the designated vendor rear parking area. For the safety of the shoppers, vehicles are not permitted to enter the selling area after 7am and may not leave the selling area until after 2 pm. Any late arriving vendors must walk their merchandise into their space. At the end of the day vendors must discard any trash and remove all canopies, tables, and unwanted merchandise from the space. The LOM maintenance team starts the cleanup process at the end of the event and finishes the entire cleanup by the next day.

Ingress and egress by vehicle is via Vail Street, a paved road that intersects Grand Avenue. Vehicles park in either (a) the main parking lot along Grand Ave, (b) on Vail Street itself, or (c) in the overflow parking lot on the heel of Vail, which is a cul-de-sac street. There are also two designated handicap parking spaces located next to the snack bar and public restrooms. These spaces are paved as are the ramps that lead to the snack bar and restrooms. Interim handicap parking spaces will be provided while permanent ADA rear parking lot spaces are architected and approved. Pedestrian traffic initiates primarily from the parking lot areas. From the Grand Ave parking lot patrons cross Vail Street (a cul-de-sac street on which traffic moves very slowly), and they enter the marketplace through any of three gated entrances. There are pedestrian pathways along Vail that customers use to avoid walking in the street. For public safety reasons the most northerly driveway near Grand Avenue is kept gated after 8 am so that patrons do not cross Vail Street near the area where cars are turning off of Grand. From the rear parking lot (the overflow lot directly adjacent to the market), patrons enter the marketplace from either of two gates. A small number of pedestrians may also originate from the bus stop directly in front of the marketplace on Grand Ave. These customers would enter the market from the pathways and entrances along Vail Street.

In addition to the temporary steel storage containers, the parcels are also improved with a snack bar, adjoining public restrooms, and a detached storage shed. The snack bar was originally an old single family residence that was converted to a licensed food facility. It is a walk-up establishment equipped with a commercial kitchen, dishwashing room, employee bathroom, and a food storage area. The snack bar is open Saturdays and Sundays from 10 am until 3 pm. Customers walk up to the window to order their food and generally eat in the adjacent patio area which is paved and covered with canvas shading. The storage shed, although originally intended to become a selling space for the owners, is used to store various tools, equipment, and decorations used to run the operation. It is not open to the public.

Lakeland Outdoor Market – Proposed Use

For nearly 20 years LOM has been a multi-cultural, family-friendly attraction that offers a unique shopping experience, homemade Mexican food, games for the kids, and celebrations at the holidays. It has also presented an economic opportunity for at least 100 families, a few of whom who have sold at the market since its inception. The market has never sold alcohol and does not intend to do so in the future. Because of its family-owned environment, small growth philosophy, cultural sensitivity, and strong ties to the local community, LOM is considered an asset to the local area by many. In its 20 year history there has never been a major injury, fight, or complaint known to the owners. The current and proposed extension of the property's use as an outdoor market on Friday, Saturday, and Sunday is consistent with its M-SC zoning classification provided a conditional use permit is granted.

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10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - PROJECT DESCRIPTION INEFFECT

Conditional Use Permit No. 3755 is to extend the operational time span of an existing open air market (Lakeland Outdoor Market) for an additional 20 years, from the previous date of expiration of July 1, 2013 to July 1, 2033.

10. EVERY. 2 USE - HOLD HARMLESS INEFFECT

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 the CONDITIONAL USE PERMIT; 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 the CONDITIONAL USE PERMIT, 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.

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10. GENERAL CONDITIONS

10. EVERY. 3 USE - DEFINITIONS INEFFECT

The words identified in the following list that appear in all capitals in the attached conditions of Conditional Use Permit No. 3755 shall be henceforth defined as follows:

APPROVED EXHIBIT A = Conditional Use Permit No. 3755, Exhibit A.

10. EVERY. 4 USE - FENCING INEFFECT

The existing fencing along Grand Avenue shall be replaced with wrought iron fencing or a comparable material, to the satisfaction of the Planning Department.

10. EVERY. 5 USE - ON-SITE IMPROVEMENTS INEFFECT

The unpermitted storage building shall be removed. Decomposed granite shall be added to the parking lot on the north side of Vail Street. Landscaping along Grand Avenue and enhance landscaping throughout site, shall be provided, pursuant to the satisfaction of the Planning Department. All damaged or missing curb stops and restored. A new decomposed granite walkway shall be placed between the curb and the property line for pedestrian travel. The exterior of all cargo containers visible from the public right-of-way shall be painted a neutral/uniform color and be maintained throughout the life of the permit. The improvements shall be completed within a year or/unless the applicant request and extension which will allow an additional six months to complete the on-site improvements.

PLANNING DEPARTMENT

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

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

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT A, unless otherwise amended by these conditions of approval.

10.PLANNING. 2 USE - FEES FOR REVIEW INEFFECT

Any subsequent submittals required by these conditions of approval, including but not limited to grading plan,

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10. GENERAL CONDITIONS

10.PLANNING. 2 USE - FEES FOR REVIEW (cont.) INEFFECT

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 INEFFECT

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

10.PLANNING. 6 USE - HOURS OF OPERATION INEFFECT

Use of the facilities approved under this conditional use permit shall be limited to the hours of 6:00 a.m. to 5:00 p.m., Saturday through Sunday.

10.PLANNING. 7 USE - PARKING INEFFECT

Parking for this project was determined primarily on the basis of County Ordinance No. 348, Section 18.12. a.(2).b), (uncovered sales area) and the site shall maintain 113 parking spaces, as shown on Exhibit A.

10.PLANNING. 8 USE - PERMIT SIGNS SEPARATELY INEFFECT

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 INEFFECT

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.

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10. GENERAL CONDITIONS

10.PLANNING. 20 USE - EXTERIOR NOISE LEVELS INEFFECT

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 INEFFECT

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 INEFFECT

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 INEFFECT

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 of this approval or conditional approval of the project.

10.PLANNING. 33 USE - VENDOR RESTRICTIONS INEFFECT

All Vendors shall be in compliance with County, State and Federal rules and regulations. In addition, the following uses shall not be permitted within vendor sites associated with Conditional Use Permit No. 3755:

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10. GENERAL CONDITIONS

10.PLANNING. 33 USE - VENDOR RESTRICTIONS (cont.) INEFFECT

1. Tattoo parlors, including permanent make-up
2. Body piercing or branding
3. Sexual Oriented Businesses

10.PLANNING. 35 USE - TRASH ENCLOSURES INEFFECT

The applicant shall maintain one (1) trash enclosure which is adequate to enclose a minimum of two (2) bins as indicated on the APPROVED EXHIBIT A.

10.PLANNING. 36 USE - IF HUMAN REMAINS FOUND INEFFECT

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:
Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner within the period specified by law (24 hours). The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, inspect the site of the discovery of the Native American human remains and may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall make recommendations or preferences for treatment within 48 hours of being granted access to the site.
Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, where the Native American human remains are located, is not damaged or disturbed. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. The descendants' preferences for treatment may include the following:
The nondestructive removal and analysis of human remains and items associated with Native American human remains. Preservation of Native American human remains and associated items in place. Relinquishment of Native American human remains and associated items to the descendants for treatment.

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10. GENERAL CONDITIONS

10.PLANNING. 36

USE - IF HUMAN REMAINS FOUND (cont.)

INEFFECT

Other culturally appropriate treatment.

The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.

Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with the human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.

Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

Record the site with the commission or the appropriate Information Center.

Utilize an open-space or conservation zoning designation or easement. (3) Record a document with the county in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the owner of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

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10. GENERAL CONDITIONS

10.PLANNING. 37 USE - UNANTICIPATED RESOURCES

INEFFECT

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

* A cultural resource site is defined, for this condition, as being a feature and/or 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 sacred or cultural importance.

** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

20. PRIOR TO A CERTAIN DATE

PLANNING DEPARTMENT

20.PLANNING. 5 USE - EXPIRATION CODE ENFORCE

INEFFECT

This permit shall be considered used as of the day of the effective date. WITHIN SIXTY (60) DAYS OF THE EFFECTIVE DATE OF THIS PERMIT, the permit holder shall apply to the Building and Safety Department for all necessary permits, including the submission of all required document fees for any plan check review as determined by the Director of

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20. PRIOR TO A CERTAIN DATE

20.PLANNING. 5 USE - EXPIRATION CODE ENFORCE (cont.) INEFFECT

Building and Safety, to ensure all buildings, structures and uses are in compliance with the applicable requirements of Ordinance Nos. 457 (Building Code) and 348 (Land Use) and the conditions of approval of this permit. A lock shall be placed on the permit to take effect on the sixtieth day, which shall not be released unless compliance with the above provision has occurred. THE PERMIT HOLDER SHALL PURSUE DILIGENTLY TO COMPLETION ALL NECESSARY PERMITS AND OBTAIN FINAL INSPECTION APPROVAL THEREOF WITHIN ONE (1) YEAR OF THE EFFECTIVE DATE OF THIS PERMIT (additional time may be requested pursuant to Section 18.43 of Ordinance No. 348). A lock shall be placed on any building permit to take effect on the expiration date, and shall not be removed unless compliance with the above provision has occurred. Notwithstanding the above, any circumstance within the property threatening the public health and safety shall be immediately corrected.

20.PLANNING. 7 USE - LIFE OF THE PERMIT INEFFECT

The life of Conditional Use Permit No. 3755 is 18 years and shall terminate on July 1, 2033. This permit shall thereafter be null and void and of no effect whatsoever.

90. PRIOR TO BLDG FINAL INSPECTION

PLANNING DEPARTMENT

90.PLANNING. 6 USE - PARKING PAVING MATERIAL INEFFECT

A minimum of 113 parking spaces shall be provided as shown on the APPROVED EXHIBIT A, unless otherwise approved by the Planning Department. The parking area shall be surfaced with asphaltic concrete or concrete or decomposed granite to current standards as approved by the Department of Building and Safety.

INDEMNIFICATION AGREEMENT

This INDEMNIFICATION AGREEMENT ("Agreement"), made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("COUNTY"), and Roger Paquette and Sharon Paquette ("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 371-170-031, 371-170-022, 371-0170-027, and 371-170-028, ("PROPERTY"); and,

WHEREAS, on September 19, 2016, PROPERTY OWNER filed an application for Conditional Use Permit No. 3755 ("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:
Roger Paquette
Sharon Paquette
26622 Armhurst Court
Sun City, CA 92586

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: [Signature]
Charissa Leach
Assistant Director of TLMA – Community Development

Dated: 6/21/17

PROPERTY OWNER:

FORM APPROVED COUNTY COUNCIL
BY: [Signature] 6/20/17
MELISSA R. CUSHMAN DATE

By: [Signature]
Roger Paquette, Owner

Dated: _____

By: [Signature]
Sharon Paquette, Owner

Dated: _____

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.

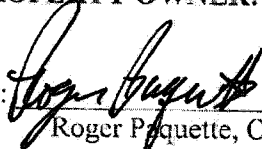
IN WITNESS WHEREOF, the parties hereto have duly caused this Agreement to be executed by their authorized representatives as of the date written.


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

By: _____
Juan Perez
Riverside County TLMA Director/Interim Planning Director

Dated: _____

PROPERTY OWNER:

By: 
Roger Paquette, Owner LP
Dated: 5-26-2017
2017

By: 
Sharon Paquette, Owner
Dated: 5-26-2017

CALIFORNIA ALL- PURPOSE CERTIFICATE OF ACKNOWLEDGMENT

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

State of California }

County of Riverside }

On 5/26/2017 before me, DAVID JOSEPH HEARNON, NOTARY PUBLIC
(Here insert name and title of the officer)

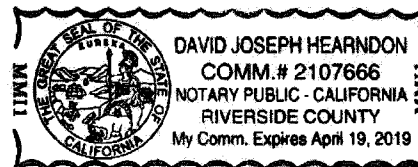
personally appeared Roger Paquette and Sharon Paquette,
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that by
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.

David Joseph Hearnon
Notary Public Signature

(Notary Public Seal)



ADDITIONAL OPTIONAL INFORMATION

DESCRIPTION OF THE ATTACHED DOCUMENT

Indemnification Agreement
(Title or description of attached document)

(Title or description of attached document continued)

Number of Pages 5 Document Date 5/26/17

CAPACITY CLAIMED BY THE SIGNER

- ☐ Individual (s)
☐ Corporate Officer

(Title)

- ☐ Partner(s)
☐ Attorney-in-Fact
☐ Trustee(s)

☒ Other owners

INSTRUCTIONS FOR COMPLETING THIS FORM

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

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



Carolyn Syms Luna
Director

EA 42601
CF 005977

RIVERSIDE COUNTY PLANNING DEPARTMENT

APPLICATION FOR LAND USE PROJECT

CHECK ONE AS APPROPRIATE:

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

PROPOSED LAND USE: _____

ORDINANCE NO. 348 SECTION AUTHORIZING PROPOSED LAND USE: _____

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

CASE NUMBER: CUP03236R2 DATE SUBMITTED: 05-06-2013

APPLICATION INFORMATION

Applicant's Name: Sharon Paquette E-Mail: paquettes@verizon.net

Mailing Address: 26622 Amhurst Court

Sun City Street CA 92586
City State ZIP

Daytime Phone No: (951) 672-7904 Fax No: (951) 672-7904

Engineer/Representative's Name: Brian Paquette E-Mail: bpaquett@att.net

Mailing Address: 2433 Eastridge Loop

Chula Vista Street CA 91915
City State ZIP

Daytime Phone No: (619) 208-9197 Fax No: (619) 632-4252

Property Owner's Name: Roger and Sharon Paquette E-Mail: paquettes@verizon.net

Mailing Address: 26622 Amhurst Court

Sun City Street CA 92586
City State ZIP

Daytime Phone No: (951) 672-7904 Fax No: (951) 672-7904

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

APPLICATION FOR LAND USE PROJECT

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

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

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

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

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

<u>SHARON PAQUETTE</u> <small>PRINTED NAME OF APPLICANT</small>	<u>Sharon Paquette</u> <small>SIGNATURE OF APPLICANT</small>
--	---

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

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

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

<u>SHARON PAQUETTE</u> <small>PRINTED NAME OF PROPERTY OWNER(S)</small>	<u>Sharon Paquette</u> <small>SIGNATURE OF PROPERTY OWNER(S)</small>
<u>ROGER PAQUETTE</u> <small>PRINTED NAME OF PROPERTY OWNER(S)</small>	<u>Roger Paquette</u> <small>SIGNATURE OF PROPERTY OWNER(S)</small>

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

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

PROPERTY INFORMATION:

Assessor's Parcel Number(s): 371-170-022,026,027,028,031

Section: Por.Ro.LA Township: 6S Range: 4W

APPLICATION FOR LAND USE PROJECT

Approximate Gross Acreage: 3.2 Acres+-

General location (nearby or cross streets): North of Holt Street, South of Grand Ave., East of Turner St., West of Ginger Ln.

Thomas Brothers map, edition year, page number, and coordinates: p.896-E-3, 1996 ED.

Project Description: (describe the proposed project in detail)

Open air market.

Extend existing CUP03236R1 from July 1, 2013 through July 1, 2038.

Related cases filed in conjunction with this application:

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

If yes, provide Case No(s). CUP03236, CUP03236R1 (Parcel Map, Zone Change, etc.)

E.A. No. (if known) 37117 E.I.R. No. (if applicable): _____

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

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

Is water service available at the project site: Yes ☒ No ☐

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

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

Is sewer service available at the site? Yes ☒ No ☐

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

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

How much grading is proposed for the project site?

Estimated amount of cut = cubic yards: -0-

APPLICATION FOR LAND USE PROJECT

Estimated amount of fill = cubic yards -0-

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

Import _____ Export _____ Neither X

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

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

How many anticipated truckloads? -0- truck loads.

What is the square footage of usable pad area? (area excluding all slopes) 3 + Acres sq. ft.

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

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

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

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

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

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

☐ Santa Ana River ☐ Santa Margarita River ☐ San Jacinto River ☐ Whitewater River

APPLICATION FOR LAND USE PROJECT

HAZARDOUS WASTE AND SUBSTANCES STATEMENT

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

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

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

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

Name of Applicant:

Address:

Phone number:

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

Local Agency: County of Riverside

Assessor's Book Page, and Parcel Number:

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

Regulatory Identification number:

Date of list:

Applicant (1)

Sharon Paquette

Date

6-19-2013

Applicant (2)

Date

HAZARDOUS MATERIALS DISCLOSURE STATEMENT

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

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

Yes ☐ No ☒

APPLICATION FOR LAND USE PROJECT

2. The proposed project will have more than a threshold quantity of a regulated substance in a process or will contain a source or modified source of hazardous air emissions.
Yes ☐ No ☒

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

Owner/Authorized Agent (1) Sharon Paquette Date 6-19-2013
Owner/Authorized Agent (2) _____ Date _____

APPLICATION FOR LAND USE PROJECT

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Santa Ana River Region¹

Project File No.	
Project Name:	
Project Location:	
Project Description:	
Project Applicant Information:	

Proposed Project Consists of, or includes:	YES	NO
Significant Redevelopment: The addition or creation of 5,000 square feet or more of impervious surface on an existing developed site. This includes, but is not limited to, construction of additional buildings and/or structures, extension of the existing footprint of a building, construction of impervious or compacted soil parking lots. Does not include routine maintenance activities that are conducted to maintain original line and grade, hydraulic capacity, the original purpose of the constructed facility or emergency actions required to protect public health and safety.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Residential development of 10 dwelling units or more, including single family and multi-family dwelling units, condominiums, or apartments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Industrial and commercial development where the land area ² represented by the proposed map or permit is 100,000 square feet or more, including, but not limited to, non-residential developments such as hospitals, educational institutions, recreational facilities, mini-malls, hotels, office buildings, warehouses, light industrial, and heavy industrial facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automotive repair shops (Standard Industrial Classification (SIC) Codes 5013—Motor vehicle supplies or parts, 5014—Tires & Tubes, 5541—Gasoline Service Stations, 7532—Top, Body & Upholstery Repair Shops and Paint Shops, 7533—Automotive Exhaust System Repair Shops, 7534—Tire Retreading and Repair Shops, 7536—Automotive Glass Replacement Shops, 7537—Automotive Transmission Repair Shops, 7538—General Automotive Repair Shops, 7539—Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restaurants disturbing greater than 5,000 square feet. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hillside development that creates 10,000 square feet or more, of impervious surface(s) including developments in areas with known erosive soil conditions or where natural slope is 25 percent or more.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Developments creating 2,500 square feet or more of impervious surface that is adjacent to (within 200 feet) or discharging directly into areas designated in the Basin Plan ³ as waters supporting habitats necessary for the survival and successful maintenance of plant or animal species designated under state or federal law are rare, threatened, or endangered species (denoted in the Basin Plan as the "RARE" beneficial use) or waterbodies listed on the CWA Section 303(d) list of Impaired Waterbodies ⁴ . "Discharging directly to" means Urban Runoff from subject Development or Redevelopment site flows directly into aforementioned waterbodies. Urban Runoff is considered a direct discharge unless it first flows through a) a municipal separate storm sewer system (MS4) that has been formally accepted by and is under control and operation of a municipal entity; b) a separate conveyance system where there is co-mingling of flows with off-site sources; or c) a tributary or segment of a water body that is not designated with "RARE" beneficial uses nor listed on the 303(d) list before reaching the water body or segment designated as RARE or 303(d) listed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parking lots of 5,000 square feet or more of impervious surface exposed to Urban Runoff, where "parking lot" is defined as a site or facility for the temporary storage of motor vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

¹Includes San Jacinto River watershed.
²Land area is based on acreage disturbed.
³The Basin Plan for the Santa Ana River Basin, which has beneficial uses for Receiving Waters listed in Chapter 3, can be viewed or downloaded from http://www.waterboards.ca.gov/rwqcb8/water_issues/programs/basin_plan/index.shtml.
⁴The most recent CWA Section 303(d) list can be found at http://www.waterboards.ca.gov/rwqcb8/water_issues/programs/tmdl/303d.shtml.

DETERMINATION: Circle appropriate determination.

If any question answered "YES" Project requires a project-specific WQMP.

If all questions answered "NO" Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.

APPLICATION FOR LAND USE PROJECT

<p align="center">Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Santa Margarita River Region</p>		
Project File No.		
Project Name:		
Project Location:		
Project Description:		
Project Applicant Information:		
Proposed Project Consists of, or includes:		
Significant Redevelopment: The addition, creation, or replacement of at least 5,000 square feet of impervious surfaces on an already developed site of a project category or location as listed below in this table. This includes, but is not limited to: the expansion of a building footprint or addition or replacement of a structure; structural development including an increase in gross floor area and/or exterior construction or remodeling; replacement of impervious surface that is not part of a routine maintenance activity; and land disturbing activities related with structural or impervious surfaces. [Note: Where redevelopment results in an increase of less than 50% of the impervious surfaces of a previously existing development, and the existing development was not subject to SUSMP requirements, the requirement for treatment control BMPs [MS4 Permit requirement F.2.b(3)], applies only to the addition, and not to the entire development.]	YES	NO
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Housing subdivisions of 10 or more dwelling units. Includes single-family homes, multi-family homes, condominiums, and apartments.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Commercial development greater than 100,000 square feet. Defined as any development on private land that is not for heavy industrial or residential uses where the land area for development is greater than 100,000 square feet. Includes, but is not limited to: hospitals; laboratories and other medical facilities; educational institutions; recreational facilities; municipal facilities; commercial nurseries; multi-apartment buildings; car wash facilities; mini-malls and other business complexes; shopping malls; hotels; office buildings; public warehouses; automotive dealerships; airfields; and other light industrial facilities.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Automotive repair shops. (Standard Industrial Classification (SIC) Codes 5013-Motor vehicle supplies or parts, 5014-Tires & Tubes, 5541-Gasoline Service Stations, 7532-Top, Body & Upholstery Repair Shops and Paint Shops, 7533-Automotive Exhaust System Repair Shops, 7534-Tire Retreading and Repair Shops, 7536-Automotive Glass Replacement Shops, 7537-Automotive Transmission Repair Shops, 7538-General Automotive Repair Shops, 7539-Automotive Repair Shops, not elsewhere classified)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Restaurants. (Standard Industrial Classification (SIC) Code 5812: Establishments primarily engaged in the retail sale of prepared food and drinks for on-premise or immediate consumption, including, but not limited to: Automats (eating places), Beaneries, Box lunch stands, Buffets (eating places), Cafes, Cafeterias, Carry-out restaurants, Caterers, Coffee shops, Commissary restaurants, Concession stands, prepared food (e.g., in airports and sports arenas), Contract feeding, Dairy bars, Diners (eating places), Dining rooms, Dinner theaters, Drive-in restaurants, Fast food restaurants, Food bars, Food service (institutional), Frozen custard stands, Grills, (eating places), Hamburger stands, Hot dog (frankfurter) stands, Ice cream stands, Industrial feeding, Lunch bars, Lunch counters, Luncheonettes, Lunchrooms, Oyster bars, Pizza parlors, Pizzerias, Refreshment stands, Restaurants, Sandwich bars or shops, Snack shops, Soda fountains, Soft drink stands, Submarine sandwich shops, and Tea rooms.) Where the land area for development is greater than 5,000 square feet. Restaurants where land development is less than 5,000 square feet shall meet all SUSMP requirements except for treatment control BMPs [MS4 Permit requirement F.2.b(3)] and peak flow management [MS4 Permit requirement F.2.b(2)(a)].	<input type="checkbox"/>	<input checked="" type="checkbox"/>
All Hillside development greater than 5,000 square feet. Any development that creates greater than 5,000 square feet of impervious surface which is located in an area with known erosive soil conditions, where the development will include grading on any natural slope that is 25% or greater.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Environmentally Sensitive Areas (ESAs) ¹ . All development located within or directly adjacent to or discharging directly to an ESA (where discharges from the development or redevelopment will enter receiving waters within the ESA), which either creates 2,500 square feet of impervious surface on a proposed project site or increases the area of imperviousness of a proposed project site to 10% or more of its naturally occurring condition. "Directly adjacent" means situated within 200 feet of the ESA. "Discharging directly to" means outflow from a drainage conveyance system that is composed entirely of flows from the subject development or redevelopment site, and not commingled with flows from adjacent lands.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parking lots of 5,000 sq. ft. or more. A land area or facility for the temporary parking or storage of motor vehicles used personally for business or commerce.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Streets, roads, highways, and freeways. Includes any paved surface that is 5,000 square feet or greater used for the transportation of automobiles, trucks, motorcycles, and other vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Retail Gasoline Outlets (RGOs). Includes RGOs that meet the following criteria: (a) 5,000 square feet or more, or (b) a projected Average Daily Traffic (ADT) of 100 or more vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<p>¹Areas "in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which would easily be disturbed or degraded by human activities and developments. ESAs subject to urban runoff requirements include, but are not limited to: all CWA Section 303(d) impaired water bodies; areas designated as Areas of Special Biological Significance by the Basin Plan; water bodies designated with a RARE beneficial use in the Basin Plan; areas within the Western Riverside County Multiple Species Habitat Conservation Plan area that contain rare or especially valuable plant or animal life or their habitat; and any other equivalent environmentally sensitive areas that the Permittees have identified. The Basin Plan for the San Diego Basin (beneficial uses listed in Chapter 2) can be viewed or downloaded from http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/basin_plan/index.shtml. The most recent CWA Section 303(d) list can be found at http://www.waterboards.ca.gov/rwqcb9/water_issues/programs/303d_list/index.shtml.</p>		
<p align="center">DETERMINATION: Circle appropriate determination.</p>		
If <u>any</u> question answered "YES"	Project requires a project-specific WQMP.	
If <u>all</u> questions answered "NO"	Project requires incorporation of Site Design Best Management Practices (BMPs) and Source Control BMPs imposed through Conditions of Approval or permit conditions.	

APPLICATION FOR LAND USE PROJECT

Checklist for Identifying Projects Requiring a Project-Specific Water Quality Management Plan (WQMP) within the Whitewater River Region

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

APPLICATION FOR LAND USE PROJECT

NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) REQUIREMENTS

In 1987, Congress amended the Clean Water Act to require the permitting of stormwater discharges from municipal storm drain systems. The Riverside County Board of Supervisors adopted Riverside County Ordinance No. 754 establishing stormwater/urban runoff management and discharge controls to protect and enhance the water quality of Riverside County watercourses, water bodies, groundwater, and wetlands in a manner pursuant to and consistent with the Federal Clean Water Act.

Preventing pollution is much easier, and less costly than cleaning up polluted stormwater. Runoff from construction and grading sites can carry sediments and other pollutants into storm drains. Also, a developed site can contribute damaging new pollutants to the surrounding environment. A variety of "best management practices" (BMPs) can be used to prevent different types of stormwater pollution. Construction-related water quality impacts shall be addressed in accordance with County Ordinances, and shall comply with the Regional Water Quality Control Board Construction Permit, where applicable. New developments and redevelopments within the Santa Ana and Santa Margarita watershed regions of Riverside County must mitigate their post construction water quality impacts by complying with Section 6 of the Riverside County Drainage Area Management Plan (DAMP). New developments and redevelopments within the Whitewater watershed region of Riverside County must mitigate their post construction water quality impacts by complying with Section 4 of the Whitewater River Region Stormwater Management Plan (SWMP). Some development and redevelopment projects may be required to submit a project-specific WQMP in compliance with Section 6 of the DAMP and Section 4 of the SWMP. These documents are available on-line at:

http://rcflood.org/downloads/NPDES/Documents/SA_SM_DAMP/DAMP_App-O_WQMP_2009-01-22.pdf

[http://rcflood.org/downloads/NPDES/Documents/WW_SWMP_WQMP/Jan_2011_WQMP_Guidance
Revised 1-9-12.pdf](http://rcflood.org/downloads/NPDES/Documents/WW_SWMP_WQMP/Jan_2011_WQMP_Guidance_Revised_1-9-12.pdf)

and,

http://rcflood.org/downloads/NPDES/Documents/SA_SM_DAMP/DAMP_App-O_WQMP-Template_2009-01-22.dot

<http://rcflood.org/downloads/NPDES/Documents/Developers/WhitewaterWQMPtemplate.dot>

Noncompliance with Riverside County Ordinance No. 754 may result in the imposition of substantial penalties by the local Regional Water Quality Control Board.

NOTICE OF PUBLIC HEARING SCHEDULING REQUEST FORM

Principal's Signature/Initials: John A

Date: 3/3/17

DATE SUBMITTED: 03/03/2017

TO: Planning Commission Secretary

FROM: Dionne Harris

(Riverside)

PHONE No.: (951) 955-6836

E-Mail: dharris@rctlma.org

SCHEDULE FOR: Planning Commission on 04/05/2017

10-Day Advertisement: Advertisement Exempt from CEQA

CONDITIONAL USE PERMIT NO. 3755 – CEQA Exempt, Section 15303 (New Construction or Conversion of Small Structures) – Applicant: Roger & Sharon Paquette – Engineer/Representative: Brian Paquette – First Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan: Community Development: Light Industrial (CD:LI) (0.25 to 0.60 FAR) and Rural: Rural Mountainous (R:RM) (10 Acre Minimum) – Location: South of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, and east of Turner Street – 2.95 Gross Acres – Zoning: Manufacturing - Service Commercial (M-SC) – REQUEST: A Conditional Use Permit to extend the entitlement of an existing open air market (Lakeland Outdoor Market), on five parcels, totaling 2.95 gross acres – PROJECT PLANNER: Dionne Harris at (951) 955-6836 or email dharris@rctlma.org – APNs: 371-170-022, 371-170-026, 371-170-027, 371-170-028, 371-170-031.

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 02/10/2017.

CFG Case # CFG05977 - 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 10/26/2016.

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

APN (s) or case numbers CUP03755 For

Company or Individual's Name Planning Department.

Distance buffered 600'.

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

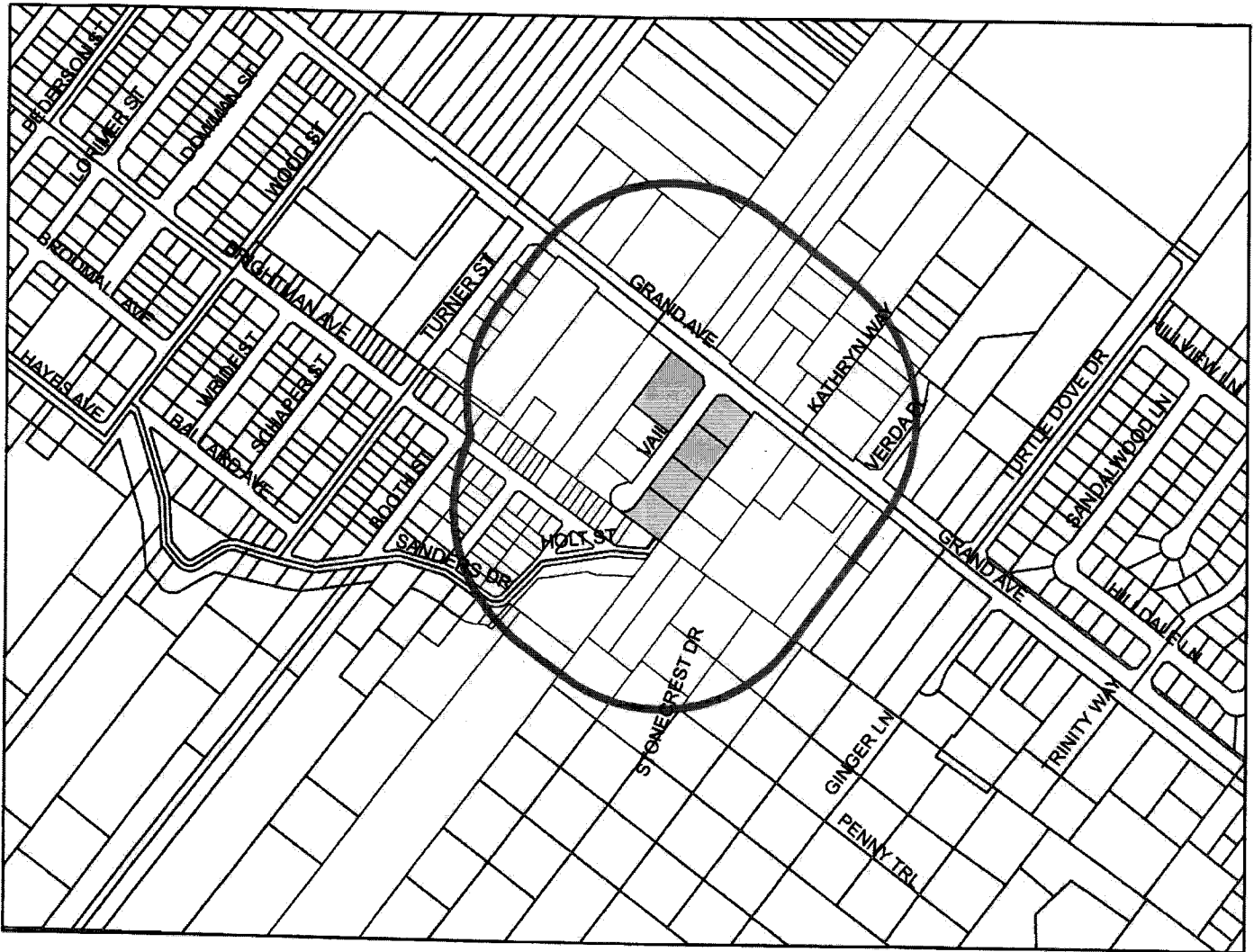
TITLE GIS Analyst

ADDRESS: 4080 Lemon Street 2nd Floor

Riverside, Ca. 92502

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

CUP03755 (600 feet buffer)



Selected Parcels

382-041-021	371-160-009	371-142-012	371-150-008	382-044-001	371-150-015	382-043-009	371-150-004	371-150-016	371-150-014
382-043-016	371-142-011	371-142-007	371-150-006	371-150-007	371-142-002	382-041-019	382-070-009	382-043-003	382-043-012
382-070-016	371-170-005	371-170-004	382-044-005	371-130-003	371-160-016	382-041-022	382-041-016	371-170-042	371-142-008
371-142-009	371-142-010	382-041-010	382-043-014	382-060-028	382-060-036	382-041-017	382-041-020	382-043-010	382-070-066
371-170-030	371-170-023	382-041-013	382-044-007	371-130-002	371-130-004	382-041-006	382-043-017	382-060-027	382-044-012
382-044-016	382-060-033	382-060-034	382-070-003	382-070-054	382-041-029	382-041-028	371-170-006	382-060-029	382-060-035
382-041-031	382-045-001	371-160-018	382-070-063	382-044-017	382-044-018	382-043-004	382-043-015	382-041-018	382-044-004
371-160-010	382-044-002	382-044-014	382-043-013	382-041-011	371-170-041	371-150-011	382-041-009	382-041-023	371-170-031
371-160-017	382-044-013	382-044-015	382-070-062	382-041-012	382-044-009	382-044-010	371-150-012	371-170-043	371-160-029
382-041-027	371-142-005	371-170-022	371-170-026	371-170-027	371-170-028	371-142-004	371-160-012	382-043-011	371-130-006
371-130-005	382-041-005	382-070-055	382-041-007	382-041-008	371-170-032	371-150-001	371-150-002	371-142-003	371-170-024
382-044-008	382-044-006	382-044-011	371-160-030	371-170-021	371-170-020				



460 230 0 460 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.

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. 3755 – Exempt from the California Environmental Quality Act (CEQA), Section 15303 (New Construction or Conversion of Small Structures) – Applicant: Roger and Sharon Paquette – Engineer/Representative: Brian Paquette – First Supervisorial District – Lakeland Village Zoning District – Elsinore Area Plan: Community Development: Light Industrial (CD-LI) (0.25 to 0.60 FAR) and Rural: Rural Mountainous (R-RM) (10 Acre Minimum) – Zoning: Manufacturing: Service Commercial (M-SC) – Location: Southerly of Grand Avenue, westerly of Lucerne Street, northerly of Brightman Avenue, and easterly of Turner Street – 2.95 Gross Acres – **REQUEST:** A Conditional Use Permit to re-establish an open air market (Lakeland Outdoor Market), on five (5) parcels, totaling 2.95 acres – Project Planner: Dionne Harris at (951) 955-6836 or email at dharris@rivco.org.

TIME OF HEARING: 9:00 am or as soon as possible thereafter
DATE OF HEARING: **APRIL 5, 2017**
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 Dionne Harris, Project Planner at 951-955-6836 or e-mail at dharris@rivco.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: Dionne Harris
P.O. Box 1409, Riverside, CA 92502-1409

ASMT: 371130002, APN: 371130002
JEFFREY MCEL RATH
20995 ALAMEDA DEL MONTE
WILDOMAR CA 92595

ASMT: 371142004, APN: 371142004
JONI DUNN, ETAL
P O BOX 233
LAKE ELSINORE CA 92531

ASMT: 371130003, APN: 371130003
MENA CHRISTIE, ETAL
25041 LUNA BONITA DR
LAGUNA HILLS CA 92653

ASMT: 371142005, APN: 371142005
ROBERT PHILLIPS
33100 TURNER ST
LAKE ELSINORE, CA. 92530

ASMT: 371130004, APN: 371130004
JEFFREY MCEL RATH
20995 ALAMEDO DEL NORTE
WILDOMAR CA 92595

ASMT: 371142011, APN: 371142011
DARYLL BERNA
33124 TURNER ST
LAKE ELSINORE, CA. 92530

ASMT: 371130005, APN: 371130005
SONJA CRILLY, ETAL
717 N JANSS
ANAHEIM CA 92805

ASMT: 371142012, APN: 371142012
ADELITA FLORES, ETAL
33010 TURNER ST
LAKE ELSINORE, CA. 92530

ASMT: 371130006, APN: 371130006
RYAN REMP
41927 BLACK MOUNTAIN TR
MURRIETA CA 92562

ASMT: 371150002, APN: 371150002
STEVE GALVEZ
31938 TEMECULA PKY A369
TEMECULA CA 92592

ASMT: 371142002, APN: 371142002
JOELLE HAPTONSTALL, ETAL
20025 SE 260TH PL
COVINGTON WA 98042

ASMT: 371150004, APN: 371150004
BRANDON PURKISS
18320 GRAND AVE
LAKE ELSINORE, CA. 92530

ASMT: 371142003, APN: 371142003
SWRAJ HOTEL INC
P O BOX 87344
SAN DIEGO CA 92138

ASMT: 371150007, APN: 371150007
DEBRA TONE
18290 GRAND AVE
LAKE ELSINORE CA 92530



ASMT: 371150008, APN: 371150008
KURT LIVINGSTON, ETAL
2430 OUR COUNTRY RD
ESCONDIDO CA 92029

ASMT: 371160012, APN: 371160012
RUBY CARSON
32910 KATHRYN WAY
LAKE ELSINORE, CA. 92530

ASMT: 371150011, APN: 371150011
DOROTHY DANDURAND, ETAL
1465 LA RIATA DR
LA HABRA HEIGHTS CA 90631

ASMT: 371160016, APN: 371160016
GILBERTO FRANCO
32940 KATHRYN WAY
LAKE ELSINORE, CA. 92530

ASMT: 371150014, APN: 371150014
CAROL HILLARY
18330 GRAND AVE
LAKE ELSINORE, CA. 92530

ASMT: 371160017, APN: 371160017
ROSALIND RIGGINS, ETAL
32930 KATHRYN WAY
LAKE ELSINORE, CA. 92530

ASMT: 371150015, APN: 371150015
BARRY LEFROY
32295 MISSION TR NO 8
LAKE ELSINORE CA 92530

ASMT: 371160018, APN: 371160018
ANTHONY REYES, ETAL
32920 KATHRYN WAY
LAKE ELSINORE, CA. 92530

ASMT: 371150016, APN: 371150016
HUSHMAN TAGHDIRI, ETAL
45621 CORTE ROYALE
TEMECULA CA 92592

ASMT: 371160029, APN: 371160029
LYNETTE CANTARINI, ETAL
18400 GRAND AVE
LAKE ELSINORE, CA. 92530

ASMT: 371160009, APN: 371160009
VERONICA GUTIERREZ, ETAL
32950 KATHRYN WAY
LAKE ELSINORE, CA. 92530

ASMT: 371160030, APN: 371160030
VINCENT GRAVES
695 W RACQUET CLUB RD
PALM SPRINGS CA 92262

ASMT: 371160010, APN: 371160010
MARY HOENIG, ETAL
28510 RED GUM
LAKE ELSINORE CA 92530

ASMT: 371170004, APN: 371170004
FRIENDS OF INDONESIA FELLOWSHIP INC
P O BOX 446
LAKE ELSINORE CA 92531



ASMT: 371170005, APN: 371170005
FEDERAL NATL MORTGAGE ASSN
C/O FANNIE MAE
P O BOX 650043
DALLAS TX 75265

ASMT: 371170028, APN: 371170028
SHARON PAQUETTE, ETAL
26622 AMHURST CT
SUN CITY CA 92586

ASMT: 371170006, APN: 371170006
KEVIN DELL
32961 JOEL CIR
DANA POINT CA 92629

ASMT: 371170030, APN: 371170030
CLAUDIA DEJULIO, ETAL
42280 CALLE CONTENTO
TEMECULA CA 92591

ASMT: 371170020, APN: 371170020
ROBIN STULL, ETAL
1315 W FLINT ST
LAKE ELSINORE CA 92530

ASMT: 371170031, APN: 371170031
PARCEL 4 LOT E TRUST
C/O TAX SERVICE
322958 MISSION TR NO 415F
LAKE ELSINORE CA 92530

ASMT: 371170021, APN: 371170021
ROBERT HUGHES, ETAL
18401 GRAND AVE
LAKE ELSINORE, CA. 92530

ASMT: 371170032, APN: 371170032
STAN LUCAS
2850 TEMPLE AVE
LONG BEACH CA 90806

ASMT: 371170022, APN: 371170022
SHARON PAQUETTE, ETAL
18474 GRAND AVE
LAKE ELSINORE CA 92530

ASMT: 371170041, APN: 371170041
NORMAN FLOYD
18369 GRAND AVE
LAKE ELSINORE, CA. 92530

ASMT: 371170023, APN: 371170023
JANE SHEETS
19465 SWEETWOOD LN
LAKE ELSINORE CA 92530

ASMT: 382041005, APN: 382041005
MAMOONA AHMED, ETAL
13092 ESTES CIR
WESTMINSTER CA 92683

ASMT: 371170024, APN: 371170024
PENNY RIECK, ETAL
5115 CHATEAU CR
IRVINE CA 92604

ASMT: 382041006, APN: 382041006
LAMBERTO BARRIOS, ETAL
18246 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530



ASMT: 382041007, APN: 382041007
ANITA HADLEY, ETAL
31902 AVD EVITA
SAN JUAN CAPO CA 92675

ASMT: 382041016, APN: 382041016
GREG GRAVEL
33192 DOWMAN ST
LAKE ELSINORE CA 92530

ASMT: 382041008, APN: 382041008
SIEUZAAN EYGABROAD
PO BOX 14425
PALM DESERT CA 92255

ASMT: 382041018, APN: 382041018
MARICRUZ MARTINEZ
18685 MAIN ST NO 164A
HUNTINGTON BEACH CA 92648

ASMT: 382041009, APN: 382041009
PABLO TORRES
13133 GOLD FINCH ST
MORENO VALLEY CA 92553

ASMT: 382041019, APN: 382041019
EDWARD OCONNELL
18320 BRIGHTMAN AVE
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ASMT: 382041010, APN: 382041010
HAL WOODS
P O BOX 669
WILDOMAR CA 92595

ASMT: 382041020, APN: 382041020
HT PROP
31902 AVENIDA EVITA
SAN JUAN CAPO CA 92675

ASMT: 382041011, APN: 382041011
GUADALUPE ONTIVEROS, ETAL
18282 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382041021, APN: 382041021
18316 BRIGHTMAN AVE TRUST
18032 LEMON DR STE C370
YORBA LINDA CA 92886

ASMT: 382041012, APN: 382041012
EMMA LOPEZ, ETAL
18284 BRIGHTMAN AVE
LAKE ELSINORE CA 92530

ASMT: 382041022, APN: 382041022
KENNETH RHEA, ETAL
18318 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382041013, APN: 382041013
JASON WHITE
18286 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382041023, APN: 382041023
PALMS PARK
5 TIZMIN
FOOTHILL RANCH CA 92610



ASMT: 382041027, APN: 382041027
CHRISTINE LEACH, ETAL
184 MISSION OAKS RD
FALLBROOK CA 92028

ASMT: 382043011, APN: 382043011
RUDY GIL
33181 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382041028, APN: 382041028
CHARLES WISE, ETAL
2847 JUDIANN LN
VISTA CA 92084

ASMT: 382043012, APN: 382043012
ESTEBAN PINEDO
10401 AMIES RD
ANAHEIM CA 92804

ASMT: 382041029, APN: 382041029
CHARLOTTE GREGORY, ETAL
18 PARTERRE AVE
FOOTHILL RANCH CA 92610

ASMT: 382043013, APN: 382043013
MARIA ACEVEDO, ETAL
33173 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382041031, APN: 382041031
ANGELA SOLOMON, ETAL
18228 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382043014, APN: 382043014
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18265 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382043004, APN: 382043004
GILBERTO MARTINEZ, ETAL
33180 BOOTH ST
LAKE ELSINORE, CA. 92530

ASMT: 382043015, APN: 382043015
MARC JIMENEZ
1751 VOORHEES AVE
MANHATTAN BEACH CA 90266

ASMT: 382043009, APN: 382043009
DORRI NEAL, ETAL
P O BOX 462
LAKE ELSINORE CA 92530

ASMT: 382043016, APN: 382043016
CLARK MACGILLIVRAY
16420 SE MCGILLIVRAY 103 RD
VANCOUVER WA 98683

ASMT: 382043010, APN: 382043010
HUMBERTO TAPIA
33189 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382043017, APN: 382043017
JOHN CASSEL
441 ULUANUI RD
KAUNAKAKAI HI 96748



ASMT: 382044001, APN: 382044001
JEANNY PIERCE, ETAL
18285 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382044009, APN: 382044009
REFUGIO ESQUIVEL
C/O PATRICIA LOPEZ
18320 SANDERS DR
LAKE ELSINORE, CA. 92530

ASMT: 382044002, APN: 382044002
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LAKE ELSINORE, CA. 92530

ASMT: 382044012, APN: 382044012
AMALIA MERCADO, ETAL
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ASMT: 382044004, APN: 382044004
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LAKE ELSINORE, CA. 92530

ASMT: 382044013, APN: 382044013
PAULA HEADY
18362 SANDERS DR
LAKE ELSINORE, CA. 92530

ASMT: 382044005, APN: 382044005
BELEN DEVALENTIN, ETAL
31033 AVENIDA DE LA VISTA
SAN JUAN CAPO CA 92675

ASMT: 382044015, APN: 382044015
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18309 BRIGHTMAN AVE
LAKE ELSINORE, CA. 92530

ASMT: 382044006, APN: 382044006
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33190 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382044016, APN: 382044016
JOSEPH VEGA
18384 SANDERS DR
LAKE ELSINORE, CA. 92530

ASMT: 382044007, APN: 382044007
JEANETTE PERRY
33194 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382044017, APN: 382044017
MA ROSALES
33172 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382044008, APN: 382044008
HEATHER WARD, ETAL
33200 BENNER ST
LAKE ELSINORE, CA. 92530

ASMT: 382045001, APN: 382045001
LEONARD VIERRA
24421 SAGECREST CIR
MURRIETA CA 92562



ASMT: 382060027, APN: 382060027
JOHN KIM
1225 W 190TH ST NO 100
GARDENA CA 90248

ASMT: 382070055, APN: 382070055
SANDY LE
5428 FLIGHT AVE
SANTA ANA CA 92704

ASMT: 382060028, APN: 382060028
SHIRIN HENDESI, ETAL
18345 SANDERS DR
LAKE ELSINORE, CA. 92530

ASMT: 382070062, APN: 382070062
QUYNH CAO
1190 N CHERRY WAY
ANAHEIM CA 92801

ASMT: 382060034, APN: 382060034
KATHERINA CARTER
18305 SANDERS DR
LAKE ELSINORE CA 92530

ASMT: 382070063, APN: 382070063
LLOYD STONE
10418 N IVERSON LN
HIGHLAND UT 84003

ASMT: 382060035, APN: 382060035
KIM MELROSE
1525 W MACARTHUR BL NO 11
COSTA MESA CA 92626

ASMT: 382070066, APN: 382070066
JACQUELINE STEWART
P O BOX 537
LAKE ELSINORE CA 92530

ASMT: 382070009, APN: 382070009
CARRIE BROOKS, ETAL
18370 STONE CREST DR
LAKE ELSINORE, CA. 92530

ASMT: 382070009, APN: 382070009
CARRIE BROOKS, ETAL
18370 STONE CREST DR
LAKE ELSINORE, CA. 92530

ASMT: 382070016, APN: 382070016
BLANCA NEGRETE, ETAL
P O BOX 432
TEMECULA CA 92592

ASMT: 382070016, APN: 382070016
BLANCA NEGRETE, ETAL
P O BOX 432
TEMECULA CA 92592

ASMT: 382070054, APN: 382070054
LARRY SMITH, ETAL
2915 ANDROS ST
COSTA MESA CA 92626

ASMT: 382070054, APN: 382070054
LARRY SMITH, ETAL
2915 ANDROS ST
COSTA MESA CA 92626



CZ07908 & PP26008 – Owner
Roger and Sharon Paquette
26622 Armhurst Court
Sun City, CA 92586

CZ07908 & PP26008 – Representative
Brian Paquette
2433 Eastridge Loop
Chula Vista, CA 91915

CZ07908 & PP26008 – Owner
Roger and Sharon Paquette
26622 Armhurst Court
Sun City, CA 92586

CZ07908 & PP26008 – Representative
Brian Paquette
2433 Eastridge Loop
Chula Vista, CA 91915

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Chula Vista, CA 91915

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Sun City, CA 92586

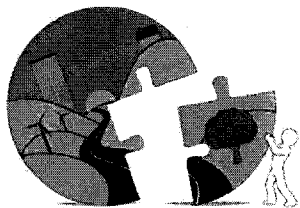
CZ07908 & PP26008 – Representative
Brian Paquette
2433 Eastridge Loop
Chula Vista, CA 91915

CZ07908 & PP26008 – Owner
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Sun City, CA 92586

CZ07908 & PP26008 – Representative
Brian Paquette
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Chula Vista, CA 91915

CZ07908 & PP26008 – Owner
Roger and Sharon Paquette
26622 Armhurst Court
Sun City, CA 92586

CZ07908 & PP26008 – Representative
Brian Paquette
2433 Eastridge Loop
Chula Vista, CA 91915



Steve Weiss, AICP
Planning Director

RIVERSIDE COUNTY PLANNING DEPARTMENT

NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research (OPR) FROM: Riverside County Planning Department
P.O. Box 3044 ☒ 4080 Lemon Street, 12th Floor ☐ 38686 El Cerrito Road
Sacramento, CA 95812-3044 P. O. Box 1409 Palm Desert, CA 92201
☒ County of Riverside County Clerk Riverside, CA 92502-1409

Project Title/Case No.: CUP03755

Project Location: In the unincorporated area of Riverside County, more specifically located South of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, east of Turner Street, and is within the Elsinore Area Plan.

Project Description: A Conditional Use Permit to re-establish an open air market (Lakeland Outdoor Market), on five parcels, totaling 2.95 acres

Name of Public Agency Approving Project: Riverside County Planning Department

Project Applicant & Address: Roger and Sharon Paquette, 26622 Armhurst Court, Sun City, CA 92586

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 re-establishment, through a new entitlement, of an existing open air market. 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 Hildebrand
Signature

Principal Planner

Title

02/01/2017

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#: ZEA42601 ZCFG No. 5977 - County Clerk Posting Fee \$50.00
FOR COUNTY CLERK'S USE ONLY

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

D* REPRINTED * R1305703

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: PAQUETTE SHARON

\$50.00

paid by: CK 2854

CFG DOC FEE FOR EA42601 (CUP03263R2)

paid towards: CFG05977 CALIF FISH & GAME: DOC FEE

at parcel:

appl type: CFG3

By _____ Jun 19, 2013 15:22
MGARDNER posting date Jun 19, 2013

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

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

Agenda Item No.:
 Area Plan: Elsinore
 Zoning District: Lakeland Village
 Supervisorial District: First
 Project Planner: Dionne Harris
 Planning Commission: April 5, 2017

CONDITIONAL USE PERMIT NO. 3755
 CEQA Exempt – Section 15303
 Applicant: Roger & Sharon Paquette
 Representative: Brian Paquette



COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

PROJECT DESCRIPTION: A Conditional Use Permit to extend the entitlement of an existing open air market (Lakeland Outdoor Market).

PROJECT LOCATION: The project site is generally located south of Grand Avenue, west of Lucerne Street, north of Brightman Avenue, east of Turner Street, and is within the Elsinore Area Plan, on five parcels, totaling 2.79 gross acres.

BACKGROUND: Lakeland Outdoor Market is characterized as an open air market and has been in continuous operation for approximately 20 years. The applicant has provided the following description of the use:

"For nearly 20 years LOM has been a multi-cultural, family-friendly attraction that offers a unique shopping experience, homemade Mexican food, games for the kids, and celebrations at the holidays. It has also presented an economic opportunity for at least 100 families, a few of whom who have sold at the market since its inception. The market has never sold alcohol and does not intend to do so in the future. Because of its family-owned environment, small growth philosophy, cultural sensitivity, and strong ties to the local community, LOM is considered an asset to the local area by many. In its 20 year history there has never been a major injury, fight, or complaint known to the owners. The current and proposed extension of the property's use as an outdoor market on Friday, Saturday, and Sunday is consistent with its M-SC Zoning Classification provided a conditional use permit is granted."

Lakeland Outdoor Market was previously approved under Conditional Use Permit ("CUP") No. 3236 on March 3, 1998, which provided for a 5 year operational lifespan, set to expire on March 3, 2003. Prior to the 2003 expiration, the owners of the market submitted a CUP revision application for the purpose of extending the lifespan. The revised CUP was approved on October 7, 2003, which provided for an additional 10 year lifespan, set to expire on July 1, 2013. Just prior to the 2013 expiration date, the owners submitted a second CUP revision application, requesting further extension of time for the market. During the initial review process of this second time extension request, the County determined that a new CUP would be more appropriate than another revision, due to the consideration for consistency of the use itself, as it relates to the uses allowed within the underlying Zoning Classification. As a result, CUP No. 3755 was established.

Approval of this CUP will result in a zoning consistency finding, a 20 year extension of time, set to expire on July 1, 2033, and some minor improvements to the property. Minor improvements include replacing the existing chain link fence along Grand Avenue with a wrought iron fence, removing an unpermitted storage building, and installing some additional landscaping along Grand Avenue, as well as within the existing parking areas.

AB 52 Tribal Consultation

During the initial review stage of this project, it was anticipated that a Negative Declaration of environmental effects would be prepared. As a result, and pursuant to AB 52, notices regarding this

the existing chain link fence along Grand Avenue with a wrought iron fence, removing an unpermitted storage building, and installing some additional landscaping along Grand Avenue, as well as within the existing parking areas.

AB 52 Tribal Consultation

During the initial review stage of this project, it was anticipated that a Negative Declaration of environmental effects would be prepared. As a result, and pursuant to AB 52, notices regarding this project were sent to all requesting Tribes. 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 entitle an existing use. ~~Furthermore, there will be no ground disturbance resulting from project approval, as no new structures are proposed, other than replacement of an existing fence. Further review of this Conditional Use Permit resulted in a determination that the project meets the provisions of Section 15303 (New Construction or Conversion of Small Structures) for categorical exemption from environmental review. Although Tribal Consultation has occurred, it would not have been necessary, as this project is categorically exempt.~~

Sphere of Influence

The project site is located within the City of Lake Elsinore 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 Lake Elsinore regarding this project.

SUMMARY OF FINDINGS:

- | | |
|--|---|
| 1. Existing General Plan Land Use (Ex. #5): | Light Industrial (LI) |
| 2. Surrounding General Plan Land Use (Ex. #5): | South – Rural Mountainous (RM), West – Light Industrial (LI), North – Commercial Retail (CR), East – Estate Density Residential (EDR) |
| 3. Existing Zoning (Ex. #2): | Manufacturing-Service Commercial (M-SC) |
| 4. Surrounding Zoning (Ex. #2): | South – General Residential (R-3), West – Manufacturing-Service Commercial (M-SC), North – General Commercial (C-1/C-P) and Regulated Development Areas (R-D), East – Manufacturing-Service Commercial (M-SC) |
| 5. Existing Land Use (Ex. #1): | Lakeland Outdoor Market |
| 6. Surrounding Land Use (Ex. #1): | South – Residential, West – Trailer Manufacturing and Storage, North – Residential, East – Residential and Auto Repair |
| 7. Project Size: | Total Acreage: 2.79 gross acres |
| 8. Environmental Concerns: | CEQA Exempt – Section 15303 (New Construction or Conversion of Small Structures) |

RECOMMENDATIONS:

FIND the project exempt from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines Section 15303 (New Construction or Conversion of Small Structures), based on the findings and conclusions incorporated in the staff report; and,

APPROVE CONITIONAL USE PERMIT NO. 3755, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

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

1. The project site has a General Plan Land Use Designation of Community Development: Light Industrial (0.25-0.60 FAR). The Light Industrial land use designation allows for a variety of industrial and related uses, including warehousing, distribution centers, and supporting retail uses. The project site is also located within the Elsinore Area Plan.
2. The project site is surrounded by properties which have a General Plan Land Use Designation of Rural Mountainous (RM) to the south, Light Industrial (LI) to the west, Commercial Retail (CR) to the north, and Estate Density Residential (EDR) to the east.
3. The project site has a Zoning Classification of Manufacturing-Service Commercial (M-SC).
4. The project site is surrounded by properties which have a Zoning Classification of General Residential (R-3) to the south, Manufacturing-Service Commercial (M-SC) to the west, General (C-1/C-P) and Regulated Development Areas (R-D) to the north, and Manufacturing-Service Commercial (M-SC) to the east.
5. The onsite existing open air market (Lakeland Outdoor Market) has been in continuous operation for approximately 20 years. The market was previously approved under Conditional Use Permit No. 3236 on March 3, 1998, which provided for a 5-year operational lifespan, expired on March 3, 2003. A revision to this Conditional Use Permit (CUP03236R1) was approved on October 7, 2003 by the Board of Supervisors and provided for an additional 10 year lifespan, establishing an expiration date of July 1, 2013.
6. On June 19, 2013, the owners of Lakeland Outdoor Market submitted an application for the second revision to Conditional Use Permit No. 3236, for the purpose of further extending its lifespan for an additional 20 years. During the initial review process, the County determined that a new Conditional Use Permit would be more appropriate than a second revision, due to the consideration for consistency of the use itself, as it relates to the uses allowed within the underlying zone. As a result, Conditional Use Permit No. 3755 was established.
7. Pursuant to Ordinance No. 348, Article XI M-SC Zone (Manufacturing-Service Commercial), Subsection G, "Any use that is not specifically listed in Subsections B. and C. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated Subsections. Such a use is subject to the permit process which governs the category in which it falls."
8. While open air markets are not specifically listed in Ordinance No. 348, Article XI M-SC Zone (Manufacturing-Service Commercial) as an allowed use, the Planning Director finds that an open

air market is of the same character and intensity as uses listed in Ordinance No. 348, Article XI, Section 11.2, Subsection C, for the following reasons:

- a. Drive-in theaters are allowed within the M-SC Zone (Manufacturing-Service Commercial), subject to Conditional Use Permit approval.
 - b. An open air market is similar to a drive-in theater, as both are considered to be outdoor entertainment, include similar types of assemblies, and offer commercial/retail sales of goods and services.
 - c. Both uses have certain operational parameters. Movie theaters are typically open in the afternoons and at night on a daily basis, whereby the swap meet only operates Saturday and Sunday, from 6:00am to 5:00pm, which is less of an impact.
 - d. The Lakeland Outdoor Market encompasses 2.79 acres of area, whereby typical drive-in theaters can range in area from 5 to 20 acres, depending upon how many screens are available. Given the much smaller footprint of the Lakeland Outdoor Market area and fewer hours of operation, relative to a typical drive-in theater, traffic and parking impacts are considerably less. Furthermore, the Lakeland Outdoor Market operates only during day time hours, which eliminates any potential night time noise impacts.
 - e. As a result, the Lakeland Outdoor Market is considered be a similar use as drive-in theaters. Also, based upon the smaller footprint and operating area of the Lakeland Outdoor Market, relative to a typical drive-in theatre, the use is less intensive.
9. Accordingly, for the reasons above, the Planning Director has determined that open air markets are permitted uses within the M-SC Zone (Manufacturing-Service Commercial), subject to Conditional Use Permit approval.
 10. The Lakeland Outdoor Market is consistent with the development standards set forth in the Manufacturing-Service Commercial (M-SC) Zoning Classification of Ordinance No. 348, pursuant to the following:
 - a. Lot Size – The project site encompasses five separate parcels, totaling 2.79 gross acres, with the smallest lot being 0.48 acres (20,908 square feet). The Manufacturing-Service Commercial (M-SC) Zoning Classification requires a minimum lot size of 10,000 square foot. This project does not include a subdivision and no existing lot is less than 10,000 square feet, which meets the development standard requirement.
 - b. Setbacks – Based upon the Zoning Classification of the project site and the adjacent Zoning Classifications, Ordinance No. 348 allows for structures to be located on the property line, with no required setbacks. Some of the existing onsite structures are located on the side property line, which is allowed under this development standard. When the M-SC Zone is located adjacent to the R-3 Zone, structures are required to have a minimum setback of 25 feet. The portion of the project site towards the southeast is adjacent to an R3 Zoned property to the south. However, this part of the project site is used for parking only and there are no structures, which meets the development standard.
 - c. Height Requirements – The maximum building height allowed within this Zoning Classification is 40 feet. No existing onsite structure exceeds 40 feet, which meets the development standard.

- d. Walls – The northern portion of the project site abuts a residential Zoned area. That area backs onto a parking area for the market. The property line contains a chain link fence and adequate landscape material to provide a sufficient buffer, which meets the development code requirement. Pursuant to the Manufacturing-Service Commercial (M-SC) Zoning Classification, no other walls are required.
 - e. Landscaping – At minimum, 10% of the project site is required to be landscaped. The site contains areas that can accommodate this 10% minimum. This project has been conditioned to install additional landscaping along the frontage and within the parking areas, which results in meeting the 10% minimum development standard.
 - f. Parking Areas – The market is categorized as an uncovered sales area, which requires 1 parking space per 1,000 square feet of sales area. The uncovered sales area of the Lakeland Outdoor Market is approximately 60,000 square feet, which requires 60 parking spaces. The project site has 113 parking spaces, which meets the development standard.
 - g. Trash Collection Areas – The project site includes a trash collection area towards the rear of the site, outside of public view, which meets the development standard.
 - h. Outside Storage Areas – The outside storage area is located towards the rear of the site and is adequately screened from public view, meeting the development standard.
 - i. Utilities – All applicable utilities are adequately screened from public view, meeting the development standard.
 - j. Mechanical Equipment – All applicable mechanical equipment is adequately screened from public view, meeting the development standard.
 - k. Lighting – The site includes adequate lighting to accommodate the outdoor market. All lighting is directed downward onto the site, avoiding light spillage into the surrounding areas, meeting the development standard.
11. The project site is located within the City of Lake Elsinore sphere of influence area and was submitted to the City for their review. The County received no comments regarding this proposed Conditional use Permit.
12. The project site is not located within a Criteria Cell of the Western Riverside Multi-Species Habitat Conservation Plan.
13. The project conforms to Section 15303, New Construction or Conversion of Small Structures, of the State CEQA Guidelines and is exempt from CEQA. A project is exempt pursuant to Section 15303 if it consists of: construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; or the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: (c) in urbanized areas, four commercial buildings not exceeding 10,000 square feet in floor area on sites zoned for such use if not involving the use of significant amounts of hazardous substances

where all necessary public services and facilities are available and the surrounding area is not environmentally sensitive.

- a. While there is no construction proposed as part of the proposed project, even if there were, the project would be exempt under Section 15303, which applies because this entails a conversion from a previously permitted but currently illegal use to a legal use of an open air market (Lakeland Outdoor Market). The project site includes several storage containers not exceeding 10,000 square-feet in area and is located primarily within an urbanized area, immediately adjacent to the City of Lake Elsinore boundary. Furthermore, the existing onsite Lakeland Outdoor Market has been in continuous operation for approximately 20 years. No additional infrastructure or utilities are required to be constructed in conjunction with this project. Lastly, due to the small scale of the existing commercial use, no significant amounts of hazardous materials are generated at the site. The project scope involves the entitlement extension of an existing open air market. No new construction or ground disturbance is proposed with this project, other than some minor site improvements, including perimeter fencing upgrade.
- b. Because all aspects of the project are exempt under Section 15303, 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 15303 exemption applies.

CONCLUSIONS:

1. The proposed project is in conformance with all other elements of the Riverside County General Plan.
2. The proposed project is consistent with the Manufacturing-Service Commercial (M-SC) 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 compatible with the present and future logical development of the area.
5. The proposed project is exempt from the provisions of CEQA, pursuant to Section 15303 (New Construction or Conversion of Small Structures).
6. The proposed 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. A City boundary; or
 - b. A WRCMSHCP criteria cell or conservation area; or

- c. An Airport Influence Area ("AIA"); or
 - d. A County Service Area ("CSA"); or
 - e. A special flood hazard area, area drainage plan, or dam inundation area.
3. The project site is located within:
- a. The City of Lake Elsinore sphere of influence; and
 - b. A high fire area; and
 - c. A local responsibility area for fire protection services; and
 - d. A half-mile of a fault line and fault zone; and
 - e. An area with very high liquefaction potential; and
 - f. An area susceptible to subsidence.
4. The subject site is currently designated as Assessor's Parcel Numbers: 371-170-022, 371-170-026, 371-170-027, 371-170-028, and 371-170-031.