

RESOLUTION NO. 2023-

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING PLANNING APPLICATION NO. 2023-40 (CONDITIONAL USE PERMIT NO. 2023-15) IN CONNECTION WITH ESTABLISHING AND OPERATING A NEW BOAT DEALERSHIP IN AN EXISTING BUILDING CONTAINING APPROXIMATELY 126,661 SQUARE FOOT AREA WITH A 29,895 SQUARE FOOT OUTDOOR DISPLAY AREA AND A 38,736 SQUARE FOOT OUTDOOR STORAGE AREA LOCATED AT 31700 GRAPE STREET (APNS: 363-530-003 AND 363-530-006)

Whereas, James Mark Dakan on behalf of Inland Boat Center, Inc. has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2023-40 (Conditional Use Permit No. 2023-15) proposing to establish and operate a new boat dealership in an approximately 126,661 sq. ft. existing retail building which will be utilized as a showroom, offices, storage, and maintenance/repair drive-through area. The project also includes two (2) fenced outdoor display areas totaling approximately 29,895 sq. ft. and three (3) fenced storage areas totaling 38,736 sq. ft. in size. The 12.39-acre project site is located south of Railroad Canyon Road and east of Grape Street, more specifically referred to as 31700 Grape Street (APNs: 363-530-003 and 363-530-006);

Whereas, Section 6.0 of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and Joint Project Review (JPR) process to analyze the scope of the proposed development and establish a building envelope that is consistent with the MSHCP criteria;

Whereas, Section 6.0 of the MSHCP further requires that the City adopt consistency findings demonstrating that the proposed discretionary entitlement complies with the MSHCP Criteria Cell, and the MSHCP goals and objectives;

Whereas, Chapter 17.415.070.A of the Lake Elsinore Municipal Code (LEMC) provides that certain uses have operational characteristics that, depending on the location and design of the use, may have the potential to negatively impact adjoining properties, businesses or residents and therefore are permitted subject to the issuance of a Conditional Use Permit, which allows the City to comprehensively review and approve the use;

Whereas, pursuant to Chapter 17.415.070.B of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying Conditional Use Permits; and

Whereas, on December 5, 2023, at a duly noticed Public Hearing, the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The Commission has considered the project and has found it acceptable.

Section 2: That in accordance with the MSHCP, the Commission makes the following findings for MSHCP consistency:

1. The project is not subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) JPR processes as it is not located within a Criteria Cell.
2. The project site is developed with existing commercial uses. The project is proposing to remodel the interior of an existing multi-tenant commercial building. As such, the Riparian/Riverine Areas and Vernal Pool Guidelines as set forth in Section 6.1.2 of the MSHCP are not applicable.
3. The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in MSHCP Section 6.1.3 and the Additional Survey Needs and Procedures as set forth in MSHCP Section 6.3.2 because the project is not located within any Narrow Endemic Plant Species Survey Areas or Critical Species Survey Areas.
4. The project is consistent with the Fuels Management Guidelines because the project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas.
5. The project is exempt from MSHCP local development mitigation fees pursuant to LEMC Section 16.85.090.B because the project involves remodeling to an existing development project and will not result in additional usable square footage.

Section 3: The Commission hereby finds and determines that the project is categorically exempt from California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq. "CEQA") and CEQA Guidelines (14. Cal. Code Regs. §§15000 et seq.), specifically pursuant to Section 15301 (Class 1 – Existing Facilities). Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The project proposes to operate a new boat dealership in an approximately 126,661 sq. ft. existing retail building. The site is fully developed, and only minor interior alterations are planned in association with the proposed use.

Section 4: That in accordance with California Planning and Zoning Law and the LEMC Section 17.415.070.C (Findings), the Commission makes the following findings regarding Conditional Use Permit No. 2023-15:

1. That the proposed use, on its own merits and within the context of its setting, is in accord with the objectives of the General Plan and the purpose of the planning district in which the site is located.

The project is located within the Elsinore City Center Specific Plan, Amendment No. 1 (ECCSP #1) and has a land use designation of Elsinore City Center Specific Plan Zone. This designation provides opportunities for a full range of retail stores, offices, restaurants, personal services, and other similar uses. The project is proposing to establish a new boat dealership within an existing building with an outdoor storage and display area. The proposed project is consistent with the land use goals and policies of the ECCSP#1. The original ECCSP and Amendment No. 1 were subject to a consistency finding with the General Plan prior to adoption. Therefore, the Project is consistent with the General Plan. Recreational vehicle sales and service is not specifically listed in ECCSP#1 as a use

subject to a Conditional Use Permit. Pursuant to Section IV.A.2.zz of the ECCSP#1, on December 5, 2023 the Planning Commission has adopted a resolution finding that recreational vehicle sales and service is a permitted use, noting that outdoor display and storage would be subject to approval of a Conditional Use Permit as provided herein.

2. The proposed conditional use will not be detrimental to the general health, safety, comfort or general welfare of persons residing or working within the neighborhood of the proposed use or the City, or injurious to property or improvements in the neighborhood or the City.

The proposed use does not propose either directly or indirectly any detrimental effects to the existing surrounding community. The project has been conditioned as such to avoid any possible negative impacts associated with the conversion and operation of the proposed facility.

3. The site for the intended use is adequate in size and shape to accommodate the use, and for all the yards, setbacks, walls or fences, landscaping, buffers and other features required by this title.

The proposed use has been reviewed for compliance with applicable sections of the LEMC, and the proposed use will complement the existing uses, based on the submitted plans and attached conditions of approval.

4. The site for the proposed use relates to streets and highways with proper design both as to width and type of pavement to carry the type and quantity of traffic generated by the subject use.

The proposed use is located within an existing built environment, inclusive of streets. The existing streets are of adequate size to facilitate safe and convenient transportation to and from the site.

5. In approving the subject use at the specific location, there will be no adverse effect on abutting properties or the permitted and normal use thereof.

The project has been thoroughly reviewed and conditioned by all applicable City departments thereby eliminating the potential for any adverse effects.

6. Adequate conditions and safeguards pursuant to Section 17.415.070.B of the LEMC, including guarantees and evidence of compliance with conditions, have been incorporated into the approval of the subject project to ensure development of the property in accordance with the objectives of this chapter and the planning district in which the site is located.

Pursuant to Section 17.415.070.B of the LEMC, the project was considered by the Commission at a duly noticed Public Hearing on December 5, 2023, appropriate and applicable conditions of approval have been included to protect and promote the public health, safety, and general welfare.

Section 5: Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby recommends that the Council find that the project is consistent with the MSHCP.

Section 6: Based upon the evidence presented, the above findings, and the Conditions of Approval imposed upon the project, the Commission hereby approves Planning Application No. 2023-40 (Conditional Use Permit No. 2023-15).

Section 7: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 5th day of December 2023.

Michael Carroll, Chairman

Attest:

Damaris Abraham,
Assistant Community Development Director

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Damaris Abraham, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2023-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held December 5, 2023 and that the same was adopted by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Damaris Abraham,
Assistant Community Development Director