

**RESOLUTION NO. 2024-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2020-92 (CONDITIONAL USE PERMIT NO. 2023-16 AND COMMERCIAL DESIGN REVIEW NO. 2023-06) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)**

**Whereas**, Ilan Golcheh - Golcheh Group has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2020-92 (Conditional Use Permit No. 2023-16 and Commercial Design Review No. 2023-06) to construct a commercial project consisting of a 4,650 sq. ft. convenience store, 4,291 sq. ft. canopy, 38,016 sq. ft. self-storage facility, 4,456 sq. ft. drive-thru restaurant, 3,979 sq. ft. self-serve carwash, 221 parking stalls, and landscaping and related site improvements on a 6.36-acre site. The project is located at the southwest corner of Lincoln Street and Riverside Drive (APNs: 379-111-017, 018, 019, and 020 (Previous APN: 379-111-014));

**Whereas**, Section 6.0 of the Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and the Joint Project Review (JPR) 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**, pursuant Section 17.415.070.B (Conditional Use Permit) and Section 17.415.050.E (Major Design Review) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has the responsibility of reviewing and approving, conditionally approving, or denying Conditional Use Permits and Design Review applications; and

**Whereas**, on April 16, 2024, 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 its consistency with the MSHCP prior to adopting Findings of Consistency with the MSHCP.

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

1. The Project is a project under the City's MSHCP Resolution, and the City must make an MSHCP Consistency finding before approval.

*Pursuant to the City's MSHCP Resolution, the Project is required to be reviewed for MSHCP consistency, including consistency with other "Plan Wide Requirements." The Project site is not located within a MSHCP Criteria Cell. Based upon the site reconnaissance survey there*

*are no issues regarding consistency with the MSHCP's other "Plan Wide Requirements." The only requirements potentially applicable to the Project were the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool Guidelines (Section 6.1.2 of the MSHCP) 6.1.3 (Protection of Narrow Endemic Plant Species), 6.1.4 (Urban Wildlands Interface), 6.3.2 (Additional Survey Needs and Procedures), Appendix C (Standard Best Management Practices), and 7.5.3 (Construction Guidelines), and payment of the MSHCP Local Development Mitigation Fee (Section 4 of the MSHCP Ordinance). The Project site is located in a previously disturbed site, and has no habitat, including riparian/riverine areas or vernal pools, present on site.*

2. The Project is subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) Joint Project Review processes.

*As stated above, the Project is not located within a Criteria Cell and therefore was not required to go through the LEAP and JPR processes.*

3. The Project is consistent with the Riparian/Riverine Areas and Vernal Pools Guidelines.

*According to a Biological Resources and MSHCP Compliance Report prepared by HDR, Inc. dated May 1, 2020, there are no areas that meet the MSHCP's definition of riparian/riverine areas or vernal pools that occur on the project site. As such, the Riparian/Riverine Areas and Vernal Pool Guidelines as set forth in Section 6.1.2 of the MSHCP are not applicable.*

4. The Project is consistent with the Protection of Narrow Endemic Plant Species Guidelines.

*The Project site is not located within the Narrow Endemic Plant Species Survey Areas as shown on Figure 6-1 of the MSHCP. The Project is consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP*

5. The Project is consistent with the Additional Survey Needs and Procedures.

*The Property is not subject to any of the Critical Area Species Survey Area Guidelines as set forth in Section 6.3.2 of the MSHCP. Therefore, the Project is consistent with MSHCP Section 6.3.2.*

6. The Project is consistent with the Urban/Wildlands Interface Guidelines.

*The Project is not located adjacent to any Criteria Cells or Public/Quasi-Public Lands and implementation of MSHCP Section 6.1.4 Guidelines is not required.*

7. The Project is consistent with the Vegetation Mapping requirements.

*There are no resources located on the Project site requiring mapping as set forth in MSHCP Section 6.3.1.*

8. The Project is consistent with the Fuels Management Guidelines.

*As stated above, the Property is surrounded by existing and planned development. Therefore, the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP are not applicable.*

9. The Project will be conditioned to pay the City's MSHCP Local Development Mitigation Fee.

*As a condition of approval, the Project will be required to pay the City's MSHCP Local Development Mitigation Fee at the time of issuance of building permits.*

10. The Project is consistent with the MSHCP.

*The Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas. As described above, the Project complies with all applicable MSHCP requirements.*

**Section 4:** Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby finds that the Project is consistent with the MSHCP.

**Section 5:** This Resolution shall take effect immediately upon its adoption.

**Passed and Adopted** on this 16<sup>th</sup> day of April, 2024.

\_\_\_\_\_  
Jodi Peters, Chair

**Attest:**

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Damaris Abraham,  
Community Development Director

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

I, Damaris Abraham, Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2024-\_\_ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on April 16, 2024, and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

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Damaris Abraham,  
Community Development Director