AGENDA

• REGULAR MEETING • CITY OF LA QUINTA •

RIVERSIDE COUNTY PLANNING COMMISSION
CITY OF LA QUINTA COUNCIL CHAMBERS
78-495 CALLE TAMPICO
LA QUINTA, CA 92247

CALL TO ORDER - ROLL CALL
SALUTE TO THE FLAG

If you wish to speak, please complete a “SPEAKER IDENTIFICATION FORM” and give it to the TLMA Commission Secretary. The purpose of the public hearing is to allow interested parties to express their concerns. Please do not repeat information already given. If you have no additional information, but wish to be on record, simply give your name and address and state that you agree with the previous speaker(s).

In compliance with the Americans with Disabilities Act, if any accommodations are needed, please contact Mary Stark at (951) 955-7436 or E-mail at mcstark@rctlma.org. Request should be made at least 48 hours or as soon as possible prior to the scheduled meeting.

1.0 CONSENT CALENDAR

1.1 NONE

2.0 GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS: 9:00 a.m. or as soon as possible thereafter. (Presentation available upon Commissioners’ request)

2.1 NONE

3.0 PUBLIC HEARING: 9:00 a.m. or as soon as possible thereafter:

3.1 CONDITIONAL USE PERMIT NO. 3690 – CEQA Exempt – Applicant: James Fulcher – Third/Third Supervisorial District - Idyllwild Zoning District – Riverside Extended Area Plan: Community Development: Commercial Retail (CD:CR) – Location: Northeast corner of North Circle Drive and Pinetree Avenue - Zoning: Scenic Highway Commercial (C-P-S) – REQUEST: The Conditional Use Permit proposes to allow a Type 20 Calif. Dept. of Alcoholic Beverage Control (ABC) license for the sale of beer and wine for off-site consumption at the County Farms Market, permitted under Plot Plan No. 1380. Project Planner: Adam Rush at (951) 955-6646 or email arush@rctlma.org. (Quasi-judicial)
4.0 WORKSHOPS:
  4.1 NONE

5.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA

6.0 DIRECTOR’S REPORT

7.0 COMMISSIONER’S COMMENTS
3.1

Conditional Use Permit No. 3690
CEQA Exempt
Applicant: Jim Fullcher
Engineer/Representative: Jim Fullcher

COUNTY OF RIVERSIDE PLANNING DEPARTMENT
STAFF REPORT

PROJECT DESCRIPTION AND LOCATION:

The project proposes a Conditional Use Permit (CUP) for a Type 20 ABC license for the sale of beer and wine for off-site consumption at the Country Farms Market in the community of Idyllwild. The market was originally approved in 1973 under Plot Plan No. 1380 and according to County records has been in operation continuously since the original approval.

A Type 20 license existed for the business since 1992, but was left to expire in 2006. Given the lapse of this license for more than a period of one (1) year, a CUP is now required for the new license. This CUP will provide the compliance measures necessary for the California Department of Alcohol Beverage Control (ABC) which requires local land use approval.

The project is located in the community of Idyllwild in the Riverside Extended Mountainous Area Plan (REMAP). More specifically, the project is located at the northeast corner of North Circle Drive and Pinetree Avenue.

BACKGROUND:
According to both the State ABC and County of Riverside records, a Type 20 ABC license for the sale of beer and wine for off-site consumption existed on the property, under the current market use, from 1992 to at least 2006. The previous owner allowed the license to lapse on or about 2006.

ISSUES OF POTENTIAL CONCERN:
The Community of Idyllwild contains a mixture of shops and eating establishments, many of which sell alcoholic beverages for both on-site and off-site consumption. The California State Department of Alcohol Beverage Control (ABC) classifies the census tract in which the project is located (444.05) as over concentrated for the sale of beer, wine, and distilled spirits.

In addition, as part of the development review process for ABC permits, Planning staff identifies the location of any churches, schools (private or public), parks, playgrounds, or day care centers within 1,000 feet of the proposed permit. According to the attached exhibit there are two (2) locations that are under church ownership, these are identified as sites C-16 and C-27 on the attached exhibit. Staff investigated the use of these facilities via site visits and interview of staff located at the facilities and the proposed project is not considered a concern for these facilities.

SUMMARY OF FINDINGS:
1. Existing General Plan Land Use (Ex. #5):
   Commercial Retail (CR) (0.20 - 0.35 FAR)
2. Surrounding General Plan Land Use (Ex. #5):
   Commercial Retail (CR) (0.20 – 0.35 FAR) to the west and south, Medium Density Residential (MDR) (2 – 5 D.U's/AC) to the east, and Open Space Conservation (OS-CH) to the north.
3. Existing Zoning (Ex. #2):
   Scenic Highway Commercial (C-P-S)
4. Surrounding Zoning (Ex. #2): Scenic Highway Commercial (C-P-S) to the west, south, and east; Village Tourist Residential (R-3A) to the east.

5. Existing Land Use (Ex. #1): Country Farms Market

6. Surrounding Land Use (Ex. #1): Commercial land uses to the north, south and west; and single-family residential to the east.

7. Project Data:
   - Total Acreage: 0.50 acres (gross)
   - Total Proposed Lots: One
   - Proposed Min. Lot Size: N/A
   - Schedule: N/A

8. Environmental Concerns: CEQA Exempt per Section 15301

RECOMMENDATIONS:

ADOPTION of a NOTICE OF EXEMPTION based upon the findings incorporated in the staff report and the Notice of Exemption and the conclusion that the project will not have a significant effect on the environment; and,

ADOPTION of a FINDING OF PUBLIC NECESSITY AND CONVENIENCE regarding the sale of beer and wine from the subject site for off-site consumption, based upon the findings and conclusions incorporated in the staff report; and,

APPROVAL of CONDITIONAL USE PERMIT (CUP) No. 3690, subject to the attached conditions of approval, and based upon the findings and conclusions incorporated in the staff report.

CONCLUSIONS:

1. The proposed project is in conformance with the Community Development: Commercial Retail (CR) (0.20 – 0.35 FAR) Land Use Designation, and with all other elements of the Riverside County General Plan.

2. The proposed project is consistent with the Scenic Highway Commercial (C-P-S) 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 clearly compatible with the present and future logical development of the area.

5. The proposed project is exempt from the provisions of the California Environmental Quality Act (CEQA).

6. The proposed project will not be situated in a manner that presents a potential hazard upon vehicle traffic to a school church, public park or playground.

7. The proposed project will not preclude reserve design for the Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP).
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 is designated Commercial Retail (CR) (0.20 – 0.35 FAR) on the Riverside Extended Mountainous Area Plan (REMAP).

2. The proposed use, a Type 20 ABC license on a 0.50 gross acre commercial parcel with a market (Country Farms), is permitted use in the CR Land Use Designation.

3. The project site is surrounded by properties which are designated Commercial Retail (CR) (0.20 – 0.35 FAR) to the west and south, Medium Density Residential (MDR) (2 – 5 D.U's/AC) to the east, and Open Space Conservation (OS-CH) to the north.

4. The zoning for the subject site is Scenic Highway Commercial (C-P-S).

5. The proposed use, the sale of beer and wine for off-site consumption, is a permitted [use, subject to approval of a conditional use permit, in the Scenic Highway Commercial (C-P-S) zoning classification.

6. The proposed use, the sale of beer and wine for off-site consumption, is conditionally consistent with the development standards set forth in the Scenic Highway Commercial (C-P-S) zone.

7. The project site is surrounded by properties which are zoned Scenic Highway Commercial (C-P-S) to the west, south, and east; Village Tourist Residential (R-3A) to the east.

8. Commercial and Village Tourist uses have been constructed and are operating in the project vicinity.

9. The proposed project is not within 100 feet of residences.

10. The proposed project has shown that the operation of the proposed premises will not interfere with the quiet enjoyment of the property by residents (Section 23789 and Rule 61.4). The existing market is situated within a primary commercial corridor of Idyllwild and is located at least 600 feet from the closest residence.

11. Three licenses are currently issued in Census tract 444.05 with only one license allowed. The proposed permit would provide ABC the local authority to issue a 4th license in this census tract.

12. A population of 3,784 persons (the estimated population for census tract 444.05) is over concentrated with the existing three (3) licenses and will be further over concentrated with the proposed Type 20 license.

13. Census tract 444.05 is over-concentrated with Type 20 and Type 21 combined liquor licenses.

14. The California Alcoholic Beverage Control Board requires the local jurisdiction to make a finding of Public Necessity of Convenience for the granting of a license when said granting would cause an over concentration of licenses within a census tract, or when an over concentration already exists.

15. The proposed project will sell boutique, micro-brew, and specialized beers and wine.
16. The proposed project provides specialized services and public necessity.

17. The proposed project is located within a well-known tourist hub of western Riverside County.

18. The project is located in such a way as to provide public convenience. The project will provide specialized beer and wine in combination with gourmet foods, a use that currently does not exist within the general vicinity.

19. The proposed use is permitted in the Scenic Highway Commercial (C-P-S) zone based on County Ordinance No. 348, Section 18.48, "Alcoholic Beverage Sales", which states, "The sale of alcoholic beverages for off-premises consumption shall only be allowed in the following zones provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: R-R, C-1/C-P, C-P-S and C-R."

20. The Conditional Use Permit is only for the sale of alcoholic beverages for off-site consumption, and does not cover any other uses, modifications to the existing structure, or changes to the physical environment.

21. This project is exempt from CEQA under the exemptions for existing facilities, under licensing, sec. 15301 of CEQA guidelines: 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.

22. This project is not located within a Criteria Area of the Western Riverside County Multiple Species Habitat Conservation Plan. This project will fulfill the requirements of the WRCMSHCP upon the payment of Ordinance No. 810 mitigation fees.

23. This project is not within a City Sphere of Influence.

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 Sphere of Influence;
   b. A 100-year flood plain, an area drainage plan, or dam inundation area;
   c. The Stephens Kangaroo Rat Fee Area or Core Reserve Area; or,
   d. California Gnatcatcher, Quino Checkerspot Butterfly habitat.
   e. A Recreation and Parks District.

3. The project site is located within:
   a. The boundaries of the San Jacinto Valley Watershed;
   b. The Hemet Unified School District
   c. The Riverside County Flood Control District

4. The subject site is currently designated as Assessor’s Parcel No. 563-300-039.
RIVERSIDE COUNTY PLANNING DEPARTMENT
CUP03690
EXISTING ZONING

Zoning District: Idyllwild
Township/Range: T5SR3E
Section: 7

Assessors Bk. Pg. 563-30
Thomas Bros. Pg. 814 C6
Edition 2011

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 types 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 Indio at (760) 863-8277 (Eastern County) or website at http://www.dms.co.riverside.ca.us/index.htm
CUP03690 - 1000ft Buffer Vicinity

- **CUP03690**: C16 - Campgrounds and retreats owned and operated by churches and nonprofit organizations.
- **C27**: Churches and Temples

Legend:
- **CUP03690**
- **1000ft Buffer**
- **Parcels of Interest**
- **Parcels**
January 4, 1973

Mr. Robert Dotson
15010 Lakewood Boulevard
Bellflower, California-90706

Dear Mr. Dotson:

RE: 18.30 (C-P-S) Plot Plan No. 1380

This letter is to report approval of your recent Application for construction of alterations to an existing Restaurant in the C-P-S Zone in the Idyllwild Area of unincorporated Riverside County, subject to the following conditions:

1a) The development of the premises shall conform substantially with that as shown on Plot Plan marked Exhibit "A" on file with 18.30 (C-P-S) Plot Plan No. 1330 in the office of the Riverside County Planning Commission.

1b) The property is located on the Southwest Corner of Pine Crest and Banning-Idyllwild Highway, and the improvements to consist of improvements to building and related parking facilities.

1c) The parking area shall be installed as per Section 18.12 of Ordinance No. 448.

2a) Prior to the issuance of a building permit, additional R/W dedication shall be offered by the owners for public street purposes as follows:

   Applicant shall dedicate additional R/W to provide for a 30-foot half width R/W along Pine Crest Avenue. No additional R/W will be required at this time along Idyllwild Road.

2b) Prior to final inspection, occupancy and use of any portion of the proposed development, street improvements shall be required as follows:

   Parking along Pine Crest Avenue requiring vehicles to back out into Pine Crest Avenue will not be allowed. Access to Idyllwild Road shall be approved by the State Division of Highways, and access to Pine Crest Avenue shall be approved by the Road Commissioner.

3. Any outside lighting shall be hooded and directed so as not to directly shine upon adjoining property or public rights-of-way.
4. Prior to the issuance of a building permit, the applicant shall first obtain clearance and/or permits from the following public agencies:

   Department of Public Health
   Idyllwild Fire Protection District
   Road Department

Written evidence of such clearance from the above shall be presented to the Land Use Division of the Department of Building and Safety at the time of the issuance of a building permit.

5. This approval shall be used within one year from this date of approval, otherwise, it shall become null and void and of no effect whatsoever. By use is meant substantial construction of facilities contemplated by this permit.

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

Enclosed for your files is a copy of said Plot Plan as approved. An appeal to the foregoing conditions may be made in writing to the Riverside County Planning Commission within 30 days after date of this approval.

Very truly yours,

RIVERSIDE COUNTY PLANNING COMMISSION
Ms. R. Livingstone-Planning Director

Thomas R. Bisel – Planner II

WRL:TRB:dg
Encls:
County of Riverside

Mr. J. Lyde
Mr. R. Drawl
Mr. "L. Harvey

ROM: John J. Fielke - Road Department

RE: Plot Plan No. 1230 - Idyllwild Restaurant

Additional right of way for Pine Crest Avenue has been acquired in accordance with conditions. No right of way required for Idyllwild Road.

JUV: HI

RECEIVED
JAN 8, 1973

RIVERSIDE COUNTY
PLANNING COMMISSION
December 15, 1972

Riverside County Planning Commission
4080 Lemon Street, Room 101
Riverside, Calif. 92501

Attn: Thomas R. Rigol - Rev 18.30 (CF8) Plot Plan No. 1380

Dear Sir:

We received your plot plan and it has been reviewed. The following are our comments and recommendations:

1. We could not tell by the plan, but according to owner, he states there will be a broiler located within the building. We do recommend a fixed dry chemical extinguishing system to be included in the duct work.

2. According to Sec. 1102 part F2 of the Uniform Building Code, there is a three-hour occupancy separation between the Group F, Division 1 (Gas Station) and all portions of the Group F, Division 2 (Restaurant). The existing roof of the Gas Station has 2/8 drywell with no tape at joints. This is mounted from the inside.

3. According to Sec. 1102 (b) of the Uniform Building Code, Special Provisions; Motor vehicles service stations including canopies and supports over pumps shall be noncombustible or of one-hour fire-resistant construction.

   EXCEPTION: Roofs of one-story service stations may be of heavy-timber construction.

   The existing canopy has 1x8 16g sheeting on the under side of canopy. The addition of fascade roof should be checked for fire retardance.

4. According to Sec. 1103 of the Uniform Building Code (b) and (c).
   (b) Swing. Exit doors shall swing in the direction of exit travel when serving any hazardous area or when serving an occupant load of 50 or more.

   (c) Type of Lock or Latch. Exit doors shall be operable from the inside without the use of a key or any special knowledge or effort.

If we can be of any further assistance, please contact us.

Respectfully yours,

David E. Hunt Jr.

"Keep Idyllwild Green"
Application for Substantial Conformance

SUBSTANTIAL CONFORMANCE FOR CASE NO.: CP 1250

1. APPLICANT NAME: CARL VINE
   MAILING ADDRESS: P.O. Box 1019, Idyllwild, CA 92249
   TELEPHONE NO.: (714) 659-3434 (8 a.m. - 5 p.m.)

2. OWNER'S NAME: CARL VINE
   MAILING ADDRESS: P.O. Box 1019, Idyllwild, CA 92249
   TELEPHONE NO.: (8 a.m. - 5 p.m.)

3. REPRESENTATIVE:
   MAILING ADDRESS:
   TELEPHONE NO.: (8 a.m. - 5 p.m.)

NOTE: If more than one person is involved in the ownership of the property being developed, a separate page must be attached to this application which lists the names and addresses of all persons having an interest in the ownership of the property.

4. ASSESSOR'S PARCEL NO(S): 002-155-005

5. LEGAL DESCRIPTION (give exact legal description as recorded in the Office of the County Recorder) MAY BE ATTACHED.

6. HAVE THERE BEEN ANY PRIOR REQUESTS FOR SUBSTANTIAL CONFORMANCE?
   YES __________ NO ______
   If yes, of what nature? Not aware of any previous.

7. NATURE AND EXTENT OF CURRENT REVISION REQUEST AND THE REASON(S) NECESSITATING THE CHANGES (USE ADDITIONAL PAGES IF NECESSARY): Modification of the existing recreation area by adding a 2' x 40' extension to an open area deck and the enclosure with sliding doors of the existing barbeque to a 4' x 4.5' vegetable stand.

8. SIGNATURE OF APPLICANT: CARL VINE
   DATE: 6-19-90

9. SIGNATURE OF PROPERTY OWNER(S): DESERT HERB FARMS
   DATE: 6-19-90
   (Written authority may be attached)

10. SIGNATURE OF REPRESENTATIVE:
     DATE: __________
     (Written authority may be attached)

I CERTIFY THAT THE ABOVE REQUEST FOR SUBSTANTIAL CONFORMANCE IS ACCEPTABLE TO THE RIVERSIDE COUNTY PLANNING DEPARTMENT AND MEETS AND DOES NOT EXCEED THE NATURE AND EXTENT OF: PP 1361

PLANNING DEPARTMENT AUTHORIZED SIGNATURE: __________
DATE: 7-17-90

RIVERSIDE COUNTY
PLANNING DEPARTMENT

1050 LEMON STREET, 9TH FLOOR
RIVERSIDE, CALIFORNIA 92501
(714) 787-6101

46-209 OASIS STREET, ROOM 304
INDIO, CALIFORNIA 92201
(619) 342-6277
SUBSTANTIAL CONFORMANCE

1. Ten (10) copies of the site plan of the entire parcel (e.g., all of a shopping center even if the substantial conformance is only for one store within a shopping center).

2. On the site plan, identify the Thomas Brothers map page number and map coordinates for the project area.

3. One copy (two, if submitted in lieu) of a floor plan delineating the types of usage (e.g., office, storage, sales area, etc.)

CRITERIA FOR REVIEW OF SUBSTANTIAL CONFORMANCE

Substantial Conformance is a revision to the original approval which may be granted for plot plans, conditional use permits, public use permits, and second unit permits, variances, surface mining permits, reclamation plans, and wind energy conversion systems permits provided the current use is in conformance with the zone and a valid permit is in effect.

A. SUBSTANTIAL CONFORMANCE - Substantial Conformance means a request for a non-substantial modification of an approved permit which does not change the original approval or the effect of the approval on surrounding properly. Substantial Conformance may include, but is not limited to, modifications necessary to comply with final conditions of approval or modifications to lighting, parking, fencing, or landscaping requirements.

B. PROCEDURE - Substantial Conformance: The Planning Director shall approve, conditionally approve, or disapprove an application for Substantial Conformance within 30 days after receiving a completed application and give notice by mail of the decision, including any additional conditions of approval, to the applicant or any other person who has filed a written request for notice. The Planning Director's determination shall be based upon the standards set forth in Ordinance No. 343 for the approval of the original application. An application for Substantial Conformance shall not require a public hearing.
Date: July 3, 1990

To: Applicant/Representative
   Riv. Co. Road Dept.
   Riv. Co. Flood Control
   Riv. Co. Fire Dept.
   Riv. Co. Dept. of Bldg. & Safety (2)
   File

SUBSTANTIAL CONFORMANCE #130
CASE NO. #1380

the attached copy of the above referenced case is being reviewed by
the Riverside County Planning Department and will be considered to be
substantially in conformance with the officially approved case unless
advised to the contrary by an affected County Department or other
agency within fifteen (15) days.

REQUESTED CHANGE: Modification of the existing restaurant by adding a 6'x42'
extension to an open air deck and the enclosure with sliding doors and closed
panels of an existing canopy to a fruit and vegetable stand

Very truly yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Joseph A. Richards, Planning Director

Sheriyan Chavez, Planning Aide
Date: JULY 17, 1990

To: Engineer/Applicant
Riv. Co. Depts. of Bldg. & Safety (Z)
File

SUBSTANTIAL CONFORMANCE#130
CASE NO. PLAN PLAN 1380

The attached copy of the above referenced case has been reviewed by
the Riverside County Planning Department and is considered to be
substantially in conformance with the officially approved case.

Acknowledged changes: Modification of the existing restaurant by
adding a 6'x42" extension to an open air deck and the enclosure with
sliding doors and glass; panels of an existing canopy to a fruit and
vegetable stand.

"ALSO ATTACHED IS A LETTER FROM THE HEALTH DEPARTMENT"

NOTE: Only those changes listed here, or in the revision block
of Exhibit "A", dated: 7/03/90 are acknowledged by the
Planning Department.

Very truly yours,

RIVERSIDE COUNTY PLANNING DEPARTMENT
Joseph A. Richards, Planning Director

[Signature]
Sherlynn Chavez, Planning Aide

ATTACHMENT

/SC
TO: Riverside County Planning Dept.
   Attn: Sherlynn Chavez

FROM: Greg Bellenbach, Environmental Health Specialist IV

RE: Plot Plan 1380

Environmental Health Services has reviewed Substantial Conformance Case No. 130 (Plot Plan 1380) dated July 3, 1990 and will require the following:

A. If on septic system:
   A C-42 licensed plumber must submit the following:
   1. Three (3) copies of the plot plan showing the subsurface sewage disposal system (scaled 1"=20')
   2. New Environmental Health Services (San 184) Form must be completed by a C-42 and returned with plot plans.
   3. Open air deck shall not encroach the setbacks required by code of the existing sewage system.
   4. A fee paid to Environmental Health Services for this review.

B. If on a sewer system:
   1. Copies of old bills from sewer district shall be provided for review by Environmental Health Services.

C. To ensure compliance with the California Uniform Retail Food Facilities Law, the fruit and vegetable stand changes shall be reviewed by the Environmental Health Services Food Plan Check Section by submitting three (3) sets of complete plans.

GD:db
TO: PLANNING
DATE: July 26, 1990
RE: SUBSTANTIAL CONFORMANCE CASES 117 (PP 11317), 128 (PP 11508), 129 (PP 11509), CUP 1065, PP 10574, and 134, 136 (PP 1389), 146 (10273), 123 (PP 10893), 144 (CU 2684), 145 (PP 2204)

The grading section has no comment on these projects.

Respectfully,

[Signature]
Sam D. Gonzalez
Senior Engineering Technician

RECEIVED
AUG 2 1990
RIVERSIDE COUNTY
PLANNING DEPARTMENT

RECEIVED
AUG 02 1990
RIVERSIDE COUNTY
PLANNING DEPARTMENT
10. GENERAL CONDITIONS

EVERY DEPARTMENT

10. EVERY. 1 USE - HOLD HARMLESS

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside (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 an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning CONDITIONAL USE PERMIT NO. 3690. The COUNTY will promptly notify the applicant/permittee of any such claim, action, or proceeding against the COUNTY and will 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.

10. EVERY. 2 USE - 90 DAYS TO PROTEST

The project developer 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 this project.

PLANNING DEPARTMENT

10.PLANNING. 1 USE- PROJECT DESCRIPTION

The project proposes a Conditional Use Permit (CUP) for a Type 20 ABC license for the sale of beer and wine for offsite consumption at the Country Farms Market in the community of Idyllwild. The market was orginally approved in 1973 under Plot Plan No. 1380 and according to County records has been in operation continuously since the original approval.

A Type 20 license existed for the business since 1992, but was left to expire in 2006. Given the lapse of this license for more than a period of one (1) year, a CUP is now required for the new license. This CUP will provide the compliance measures necessary for the California Department of Alcohol Beverage Control (ABC) which requires local land use approval.
The project is located in the community of Idyllwild in the Riverside Extended Mountainous Area Plan (REMAP). More specifically, the project is located at the northeast corner of North Circle Drive and Pinetree Avenue.

BACKGROUND:
According to both the State ABC and County of Riverside records, a Type 20 ABC license for the sale of beer and wine for off-site consumption existed on the property, under the current market use, from 1992 to at least 2006. The previous owner allowed the license to lapse on or about 2006.
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: CUP 03690  DATE SUBMITTED: 9-13-2012

APPLICATION INFORMATION

Applicant's Name: James Fulcher  E-Mail: fulcher@verizon.net

Mailing Address: 38185 Del Webb Blvd #33
Palm Desert CA 92211

Daytime Phone No: (760) 668-6694  Fax No: (760) 266-5757

Engineer/Representative's Name: James Fulcher  E-Mail: Same

Mailing Address: Same

Daytime Phone No:  ( )  Fax No: ( )

Property Owner's Name: Jose Huizar  E-Mail: __________________________

Mailing Address: P.O. Box 1288
Idyllwild CA 92259

Daytime Phone No: (714) 267-3213  Fax No: ( )

Riverside Office · 4090 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

Desert Office · 38886 El Cerrito Road
Palm Desert, California 92211
(760) 863-8277 · Fax (760) 863-7555

"Planning Our Future… Preserving Our Past"
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.

[Signatures]

PRINTED NAME OF APPLICANT

SIGNATURE OF APPLICANT

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.

[Signatures]

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

PRINTED NAME OF PROPERTY OWNER(S)

SIGNATURE OF PROPERTY OWNER(S)

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): 56 3 3006 39-7

Section: ___________ Township: ___________ Range: ___________
APPLICATION FOR LAND USE PROJECT

Approximate Gross Acreage: 1/2 acre

General location (nearby or cross streets): North of N. Circle Drive, South of Pinecrest Ave., East of Hwy 243, West of Oakwood

Thomas Brothers map, edition year, page number, and coordinates: 814 C6, D6

Project Description: (describe the proposed project in detail)

Applying for an off-sale beer & wine license (ABC license #20) for the existing Country Farms store (which had a #20 license until 2007 when it expired).

Related cases filed in conjunction with this application:

CFG 05920

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

If yes, provide Case No(s). N/A

E.A. No. (if known) N/A E.I.R. No. (if applicable): N/A

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? None

Estimated amount of cut = cubic yards:
APPLICATION FOR LAND USE PROJECT

Estimated amount of fill = cubic yards

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

Import __________________ Export __________________ Neither __________________

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? _________________________________ truck loads.

What is the square footage of usable pad area? (area excluding all slopes) __________________ 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.tima.co.riverside.ca.us/pa/rclis/index.html) for watershed location)?

□ Santa Ana River    □ Santa Margarita River    □ San Jacinto River    □ Whitewater River
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) James Fulkner Date 9-13-12
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 ☒
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) ___________________________ Date 9-13-12
Owner/Authorized Agent (2) ___________________________ Date __________________
COUNTY OF RIVERSIDE
TRANSPORTATION AND LAND MANAGEMENT AGENCY

George A. Johnson
Agency Director

Katherine Gifford
Director, Administrative Services

Ron Goldman
Director, Planning Department

Juan C. Perez
Director, Transportation Department

Mike Lara
Director, Building & Safety Department

John Boyd
Director, Code Enforcement Department

Carolyn Syms
Luna

Director, Environmental Programs Department

LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT
Agreement for Payment of Costs of Application Processing

TO BE COMPLETED BY APPLICANT:

This agreement is by and between the County of Riverside, hereafter “County of Riverside”,

and James Fulcher hereafter “Applicant” and Jose Hui Zar “Property Owner”.

Description of application/permit use:

Cup Fer Type for ABC license off-sale beer and wine

If your application is subject to Deposit-based Fee, the following applies

Section 1. Deposit-based Fees

Purpose: The Riverside County Board of Supervisors has adopted ordinances to collect “Deposit-based Fees” for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications

A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case. The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.

B. Within 15 days of the service by mail of the County of Riverside’s written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney’s fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.

C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within 15 days of the service by mail of notice to said property Owner by the County.

4080 Lemon Street, 14th Floor • Riverside, California 92501 • (951) 955-6838
P. O. Box 1605 • Riverside, California 92502-1605 • FAX (951) 955-6879
D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.

E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.

F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.

Section 4. Applicant and Owner Information

1. PROPERTY INFORMATION:
   Assessor's Parcel Number(s): 563 000 39-7
   Property Location or Address: 25980 Hay 243, Idyllwild, CA 92549

2. PROPERTY OWNER INFORMATION:
   Property Owner Name: Jose Huizar
   Firm Name: L J V Properties
   Address: P.O. Box 1288, Idyllwild, CA 92549

3. APPLICANT INFORMATION:
   Applicant Name: James Fulcher
   Firm Name: Country Farms
   Address (if different from property owner):
   35180 Del Webb Blvd, #33
   Palm Desert, CA 92261

4. SIGNATURES:
   Signature of Applicant: James Fulcher
   Date: 9-19-12
   Print Name and Title: James Fulcher

   Signature of Property Owner: Jose Huizar (Property Owner)
   Date: 9-20-12
   Print Name and Title: Jose Huizar (Property Owner)

   Signature of the County of Riverside, by
   Date: 
   Print Name and Title: 

FOR COUNTY OF RIVERSIDE USE ONLY

Application or Permit #: 
Set #: Application Date: 
PREMISES ADDRESS:
25980 Hwy 243
JOY R. WILD CA 92549 (no 243)

LICENSE TYPE: 20 - Now

1. CRIME REPORTING DISTRICT

Jurisdiction unable to provide statistical data.

Reporting District: ____________________________
Total number of reporting districts: ______________
Total number of offenses: ______________________
Average number of offenses per district: __________
120% of average number of offenses: ____________
Total offenses in district: ______________________
Location is within a high crime reporting district: Yes/No

2. CENSUS TRACT / UNDUE CONCENTRATION

Census Tract: 0444.05
Population: / County Ratio: ______________________
Number of licenses allowed: __________
Number of existing licenses: __________

Undue concentration exists: Yes / No
Letter of public convenience or necessity required: Governing Body / Applicant
Three times publication required: Yes / No

Gracela
Person Taking Application

Investigator

Supervisor
PROPERTY OWNERS CERTIFICATION FORM
CUP03690
APN 563-300-039

I, __________ Mickey Zolezio _________________________, certify that on
(Print Name)
____________________ 9/18/2012 ____________________ the attached property owners list
(Date)
w\as prepared by ______ County of Riverside / GIS ____________________________
(Print Company or Individual’s Name)

Distance Buffered: 1000’

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

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

NAME: __________ Mickey Zolezio _________________________

TITLE/REGISTRATION  Senior GIS Analyst ____________________________

ADDRESS:  4080 Lemon St. 10th Floor ____________________________

_________________________ Riverside, CA  92501 ____________________________

TELEPHONE (8 a.m. – 5 p.m.): __________ (951) 955-4649 ____________________________
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ASMT: 565080058, APN: 565080058
Applicant/Rep:  
James Fullcher  
38180 Del Webb Blvd, #33  
Palm Desert, Ca 92211

Owner:  
Jose Huizar  
25980 Idyllwild Road  
State Highway 243  
Idyllwild, Ca 92549

ATTN: Dan Kopulsky  
CALTRANS District #8  
464 W. 4th St., 6th Floor  
Mail Stop 725  
San Bernardino, CA 92401-1400

Eastern Information Center  
Dept. of Anthropology  
1334 Watkins Hall, University of  
California, Riverside  
Riverside, CA 92521-0418

ATTN: Executive Officer  
Reg. Water Quality Control Board #8  
Santa Ana  
3737 Main St., Suite 500  
Riverside, CA 92501-3348

Idyllwild Water District  
25945 Hwy. 243  
P.O. Box 397  
Idyllwild, CA 92549

Southern California Edison  
2244 Walnut Grove Ave., Rm 312  
P.O. Box 600  
Rosemead, CA 91770
NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research (OPR)  FROM: Riverside County Planning Department
     P.O. Box 3044  4080 Lemon Street, 12th Floor
     Sacramento, CA 95812-3044  P. O. Box 1409
     County of Riverside County Clerk  Riverside, CA 92502-1409
     ☑ 38686 El Cerrito Road
     Palm Desert, CA 92211

Project Title/Case No.: Conditional Use Permit No. 3690 - Type 20 ABC License and PNC Findings

Project Location: In the unincorporated area of Riverside County, more specifically located in the community of Idyllwild at the northeast corner of North Circle Drive and Pinetree Avenue.

Project Description: The project proposes a Conditional Use Permit for a Type 20 ABC license for the sale of beer and wine for offsite consumption at the Country Farms Market in the community of Idyllwild. The project was originally approved in 1973 under Plot Plan No. 1380 and according to County records has been in operation continuously since the original approval.

Name of Public Agency Approving Project: Riverside County Planning Department

Project Sponsor: Jim Fullcher

Exempt Status: (Check one)
☐ Ministerial (Sec. 21080(b)(1); 15268)
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a))
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c))
☑ Categorical Exemption (15301)
☐ Statutory Exemption (____)
☐ Other: ______

Reasons why project is exempt: This project is exempt from CEQA under the exemptions for existing facilities, under licensing sec. 15301 of CEQA guidelines. 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.

Adam Rush
County Contact Person
(951) 955-6646

Signature
Principal Planner
Title
September 24, 2012
Date

Date Received for Filing and Posting at OPR: __________________________

Revised: 3/15/10: Y:\Planning Master Forms\Templates\CEQA Forms\NOE Form.docx

Please charge deposit fee case#: ZEA: N/A  ZCFG No. ZCFG05920 – County Clerk Posting Fee: $64.00

FOR COUNTY CLERK’S USE ONLY
COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

4080 Lemon Street 39493 Los Alamos Road 38686 El Cerrito Road
Second Floor Suite A Palm Desert, CA 92211
Riverside, CA 92502 Murrieta, CA 92563 (760) 863-8277
(951) 955-3200 (951) 600-5100

***********************************************************
***********************************************************

Received from: JAMES FULCHER
paid by: CK 1281
paid towards: CFG05920 CALIF FISH & GAME: DOC FEE
CALIFORNIA FISH AND GAME CUP03690
at parcel #: 25980 HIGHWAY 243 IDYL
appl type: CFG3

By_________________________________________ Sep 13, 2012 09:53
JCMITCHE posting date Sep 13, 2012
***********************************************************
***********************************************************

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

Overpayments of less than $5.00 will not be refunded!

Additional info at www.rctlma.org

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