

**Revised Conditions of Approval
Modification of Conditional Use Permit No. 2001-05
Operation of Lake Elsinore Motorsports Park
20700 Cereal Street (APN: 370-030-012)**

PLANNING DIVISION

1. ~~Conditional Use Permit No. 2001-05 will lapse and be void unless the use continues as intended within one (1) year of Planning Commission approval. (Amended 6/5/18 Planning Commission).~~
2. ~~The applicant acknowledges that the uses permitted by the Conditional Use Permit are not consistent with the long-term development goals of the project site and neighboring properties and that~~ The Conditional Use Permit allows for an interim use of the project site so long as such operations are compatible with neighboring uses and are conducted in a manner that does not impose significant negative impacts. The Conditional Use Permit shall be reviewed periodically, ~~but not less than annually~~ as determined by the Community Development Director, by the Planning Commission to evaluate the findings set forth in Section 17.168.060 of the Lake Elsinore Municipal Code, including (i) the consistency of the use with the City's General Plan, applicable Specific Plan and Zoning Ordinance, (ii) the compatibility with neighboring uses, and (iii) compliance with the conditions of approval. Should the Community Development Director or designee receive any legitimate and justifiable concerns or complaints from the public regarding impacts associated from the operation of the use which cannot be resolved or the applicant fails to address and resolve, the Community Development Director shall have the ability to commence proceedings to recommend to the Planning Commission the revocation of the CUP in a similar fashion and process as originally considered. The Community Development Director shall also initiate revocation proceedings of the CUP if or when plans are submitted to the City proposing development inconsistent with the existing use and in accordance with the General Plan and any applicable specific plan for the project site. (Amended 6/5/18 Planning Commission).
3. The applicant shall be required to conduct a Noise Study (noise readings) as determined necessary by the Community Development Director to monitor sound levels emanated from the facility. Necessary measures shall be undertaken based on the results of the Noise Study. The applicant shall deposit with the City an amount equal to the cost of such study plus administrative charges.
4. The applicant shall be required to conduct an Air Quality Study as determined necessary by the Community Development Director to monitor dust levels emanated from the facility. Necessary measures shall be undertaken as a result of the study. The applicant shall deposit with the City an amount equal to the cost of such study plus administrative charges.
5. The amount of staff necessary to operate the facility shall be determined daily by the applicant based on attendance, type and number of tracks operating and associated insurance requirements. (These employees will be required to wear uniforms identifying them as facility employees, e.g., yellow vests or shirts with the wording "Staff").
6. The existing pay booth onsite shall be allowed to be located below an elevation of 1,267 msl. provided that vents are maintained in the structure, one foot from the ground, on opposite sides so as to allow flood water to flow through the structure.

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7. Upon cessation of project operations, all structures, artifacts, and equipment utilized at the site shall be removed so as to restore the site to its pre-motocross facility condition.
8. Upon cessation of project operations all grading on the site shall be reversed and all jumps, ramps, and grading shall be flattened so as to restore the site to its pre-motocross facility condition.
9. Upon cessation of project operations, all potentially contaminated soil shall be removed and disposed of in a manner consistent with applicable local, state and federal laws and regulations so as to restore the site to its pre-motocross condition.
10. Temporary restroom facilities shall be provided at strategic locations adequate to support ultimate visitor capacity. The Applicant shall furnish the City a copy of a contract or written proof that these facilities shall be provided prior to continuation of use.
11. All motorcycle fueling shall be concentrated in one area (e.g. parking lot). Safety spill kits, spill mats and fire extinguishers shall be made available and utilized at all times during fueling to regulate and minimize soil contamination. These requirements shall be incorporated into the posted park rules. In addition, all the park rules shall be listed in a hand-out which shall be distributed to all park users upon entering the facility.
12. The project shall be allowed to operate based on Exhibit B (Detailed Operating Characteristics" and based on additional recommendations outlined on Condition of approval No. 5 submitted by the applicant with the exception of night operations. Operations shall be limited to 8:00 AM to dusk. Park hours of operation shall be reviewed by the Community Development Director as deemed necessary.
13. For Major Special Events, the applicant shall be required to comply with Section 5.108 (Special Events) of the Lake Elsinore Municipal Code. Night operations for major special events may be allowed by the Community Services & Development Directors and subject to additional Conditions of Approval.
14. The proposed temporary/interim motocross training and racing facility shall be subject to the Mitigation Monitoring Program in Mitigated Negative Declaration (MND) No. 2002-02.

The Mitigation Monitoring Program outlines four required issues requiring mitigation which include the following:

Air Quality

Throughout operations of the Motocross facility, the applicant shall ensure that the exposed dirt areas are watered a minimum of four to five times daily.

Hydrology and Water Quality

Prior to issuance of grading permit, the applicant shall acquire a Notice of Intent from the Santa Ana Regional Water Quality Control Board, in accordance with the City's National

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Pollutant Discharge Elimination System (NPDES) permit and comply with appropriate NPDES and Best Management Practices regulations.

Public Services

Dedicate a minimum 16-foot access road. Said road shall be designed to support a minimum of 60,000 lbs. over 2 axles, all weather surface and non-erode-able. This shall include the "pit area".

Provide a minimum of two parking attendants on weekends and holidays to direct traffic to the parking area. Parking areas shall maintain a minimum 20 feet unobstructed width and have a sufficient turning radius at each end to accommodate fire apparatus.

Ensure that gates are a minimum of 18 feet and can accommodate fire apparatus traveling in either direction.

Provide a minimum of one Emergency Medical Technician onsite at all times during motocross practice sessions. In addition, a Basic Life Support (BLS) ambulance shall be provided onsite at all times during any and all event competitions. Additional requirements may be established for special events.

Separate all vehicle fueling and maintenance areas from public assembly or spectator areas by a minimum of 50 feet.

Post "No Smoking" signs around all areas that contain stored and/or where dispensing flammable or combustible fuels or solvents are used.

Provide a minimum 20 BC rated fire extinguishers in those areas with a maximum travel distance no greater than 50 feet.

Ensure that all flammable and combustible liquid storage and dispensing shall be in accordance with Article 79 of the Uniform Fire Code and California Fire Code. Said storage shall be in approved containers with appropriate labeling.

Transportation and Traffic

Prior to issuance of final occupancy, the applicant shall prepare a Traffic Control Plan. Said plan shall, at a minimum, describe those traffic control measures and methods required to ensure congestion will not occur on connecting roadways, staffing requirements, parking plans, and any other measures to ensure congestion is controlled.

15. Prior to commencement of operations, the applicant shall submit all binders of Liability Insurance naming the City of Lake Elsinore as additionally insured, to be approved by the City's Risk Management Director (Administrative Services Director) and Community Development Director or designee. Minimum Liability Insurance shall be for \$2,000,000.
16. Applicant is to meet all applicable City Codes and Ordinances including American Disability Act requirements prior to commencement of operations.

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17. All site improvement shall be constructed as indicated on the approved site plan (Exhibit A) unless modified by Planning Commission action. Revisions to approved plans shall be subject to discretion of the Community Development Director or designee. (Modified 6/5/18 Planning Commission).
18. The applicant and property owner shall sign and complete an "Acknowledgement of Revised Conditions" and shall return the executed original to the Community Development Department for inclusion in the case records.
19. All uses and/or activities not specifically permitted by this permit shall be prohibited.

EMERGENCY SERVICES

20. Provide a minimum of one Emergency Medical Technician onsite at all times during motocross practice sessions. In addition, a Basic Life Support (BLS) ambulance shall be provided onsite at all times during any and all event competitions.
21. The entrance access road (from Cereal Street to entrance) shall be clearly defined and improved to support emergency vehicles a minimum of 60,000 lbs. over two axles. The road surface shall be all weather surface and non-erode-able. In addition, a secondary emergency only vehicle access road shall be improved with similar construction. Currently, shown emergency access road encroaches on a separate parcel letter of permission shall be required. An access agreement shall be required from property owner for the duration of permit.

ENGINEERING DIVISION

22. All Public Works requirements shall be complied with as a condition of development as specified in the Lake Elsinore Municipal Code (LEMC) prior to issuance of building permit.
23. No improvements shall be made upon all lands below the 1265 ft. elevation level in the Lake Elsinore flood plain, southeasterly of the lake levee and no artificial change in the topography in the surface of said lands shall be made (except terracing and soil conservation measures) LEMC 15.68.052.
24. Projects proposed in the back basin that the City or applicant deem non-jurisdictional shall receive a written non-jurisdictional confirmation from the Corps of Engineers prior to any commencement of work along with a review of how the project complies with the special conditions to Permit No. 88-00215-00-RRS (Lake Elsinore Management Project)
25. Meet all requirements of LEMC 15.68 of the Municipal Code regarding flood plain management.
26. Meet all requirements of LEMC 15.64 of the Municipal Code regarding flood hazard regulations.

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27. The access road shall have a minimum width of 25 ft.
28. The access road and parking lots shall be of compacted crushed aggregate base or provided with a surface and treatment to minimize the dust to be approved by the City Engineer.
29. Applicant to provide FEMA elevation certificates prior to certificate of occupancies for all existing or future buildings (including
30. Grading plans shall be prepared by a Civil Engineer and approved prior to grading permit issuance. Prior to any grading, the applicant shall obtain a grading permit and post appropriate security.
31. Applicant shall provide the city with proof of his having filed a Notice of Intent with the Regional Water Quality Control Board for the national Pollutant Discharge Elimination System (NPDES) program with a storm water pollution prevention plan prior to issuance of grading permits.
32. Building, with the exception of the existing pay booth, cannot be constructed and trailers cannot be located below the 1267 foot elevation.
33. A dust control plan and an erosion control plan for storm water runoff needs to be submitted to the City for approval.
34. The erosion control plan needs to be approved by the Santa Ana Regional Water Quality Control Board.
35. A traffic study may be required at any time at the discretion of the City Engineer in order to evaluate and identify necessary mitigation for total cumulative traffic impacts.
36. A secondary emergency vehicle access road shall be established and maintained to the subject property. The access shall be achieved by way of easement or other legal instrument acceptable to the City Attorney.
37. On-site drainage shall be conveyed to a public facility or accepted by adjacent property owners by a letter of drainage acceptance or conveyed to a drainage easement.
38. All natural drainage traversing the site shall be conveyed through the site, or shall be collected and conveyed by a method approved by the City Engineer.
39. All trash and debris including used gas tanks shall be appropriately removed and disposed of in an approved waste facility pursuant to the City's Franchise agreement with CRR.
40. The applicant shall defend (with counsel reasonably acceptable to City), indemnify and hold harmless City, its employees, agents, and officials, from any liability, claims, suits, actions, arbitration proceedings, administrations proceedings, regulatory proceedings, losses, expenses or costs of any kind, whether actual alleged, or threatened, actual attorney fees

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incurred by the City court costs, interest, defense costs including expert witness fees and nay other costs or expenses of any kind whatsoever without restriction or limitation incurred in relation to, as a consequence of or arising out of or in any way attributable actually, allegedly, or impliedly, in whole or in part to an approval by the City, its advisory agencies, appeal boards, or legislative body concerning Condi9toinal Use Permit No. 2001-05 Modified Lake Elsinore Motocross and BMX Racing and Training Tract and/or Mitigated Negative Declaration.

I hereby state that I acknowledge receipt of the approved Conditions of Approval for the above named project and do hereby agree to accept and abide by all Conditions of Approval as approved by the City of Lake Elsinore Planning Commission on June 5, 2018. I also acknowledge that all Conditions of Approval shall be met as indicated.

Date: _____

Applicant's Signature: _____

Print Name: _____

Address: _____

Phone Number: _____

Email Address: _____