

RESOLUTION NO. 2019-____

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE
ELSINORE, CALIFORNIA, FINDING THAT PLANNING APPLICATION NO. 2019-15
(CONDITIONAL USE PERMIT NO. 2019-05 AND COMMERCIAL DESIGN REVIEW
NO. 2019-07) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY
MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)**

Whereas, Paul Kim, Eukon Group has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2019-15 (Conditional Use Permit No. 2019-05 and Commercial Design Review No. 2019-07) for the construction of a new 75-foot high wireless communications facility disguised as a pine tree consisting of 12 panel antennas, 36 Remote Radio Units (RRUs), six (6) surge suppressors at 66 ft. centerline, and two (2) microwave antennas at 38 ft. centerline. The project will include ancillary ground equipment consisting of two (2) GPS antennas and six (6) equipment cabinets located within an existing storage building, and one (1) backup generator. Two (2) live pine trees (45 ft. and 35 ft. in height) will be planted around the project area. Access to the facility will be provided via a non-exclusive access easement from Machado Street. The facility will be located within an existing self-storage facility located at the southwesterly corner of Lakeshore Drive and Machado Street, more specifically 16401 Lakeshore Drive (APN: 379-250-044); and,

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; and,

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; and,

Whereas, pursuant to the Lake Elsinore Municipal Code (LEMC) Section 17.410.070 (Approving Authority) and Section 17.410.030 (Multiple Applications), the Planning Commission (Commission) has been delegated with the responsibility of reviewing and approving, conditionally approving, or denying the conditional use permit and the minor design review application; and,

Whereas, on July 16, 2019 and August 20, 2019, 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 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 a 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) and payment of the MSHCP Local Development Mitigation Fee (Section 4 of the MSHCP Ordinance). The Project site is located in a previously developed building, and has no habitat, including riparian/riverine areas or vernal pools, present on site.

2. The Project is not subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) JPR 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.

The Project consists of installing a wireless communications facility within an existing self-storage facility on a fully developed 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 site does not fall within any Narrow Endemic Plant Species Survey Areas. Neither a habitat assessment nor further focused surveys were required for the Project. Therefore, Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP are not applicable to the Project.

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

The MSHCP only requires additional surveys for certain species if the Project is located in Criteria Area Species Survey Areas, Amphibian Species Survey Areas, Burrowing Owl Survey Areas, and Mammal Species Survey Areas of the MSHCP. The Project site is not located within any of the Critical Species Survey Areas. Therefore, the provisions of MSHCP Section 6.3.2 are not applicable.

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

The Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas. Therefore, the Urban/Wildlands Interface Guidelines of MSHCP Section 6.1.4 are not applicable.

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

The Project consists of installing a wireless communications facility within an existing self-storage facility on a fully developed site. There are no resources located on the Project site requiring mapping as set forth in MSCHP Section 6.3.1.

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

The Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas. Therefore, the Fuels Management Guidelines of MSHCP Section 6.4 are not applicable.

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

The Project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas. The Project does not propose any construction as such no permits are required.

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 3: Based upon all of the evidence presented and the above findings, the Commission hereby finds that the Project is consistent with the MSHCP.

Section 4: This Resolution shall take effect immediately upon its adoption.

Passed and Adopted on this 20th day of August, 2019.

Michael Carroll, Chairman

Attest:

Justin Kirk,
Assistant Community Development Director

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

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2019-__ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on August 20, 2019 and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Justin Kirk,
Assistant Community Development Director