



## NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Lake Elsinore, California, will hold a public hearing on May 14, 2019, at the Lake Elsinore Cultural Center, 183 North Main Street, Lake Elsinore, California, 92530, at 7:00 p.m., or as soon thereafter as the matter may be heard, to consider the following item:

### **AMENDMENTS TO TITLE 5 AND TITLE 17 OF THE LAKE ELSINORE MUNICIPAL CODE REGARDING BUSINESS LICENSES AND REGULATING SIDEWALK VENDORS**

**DESCRIPTION OF PROPOSED AMENDMENTS:** To meet the new regulations mandated by Senate Bill 946 (Government Code Sections 51036 through 51039), proposed amendments to Title 5 (Business Taxes, Licenses and Regulation) of the Lake Elsinore Municipal Code (LEMC) have been prepared. Additionally, because Title 5 of the LEMC does not currently provide a process for persons to appeal decisions by City officials or agents affecting business licenses Chapter 5.08 (Business Licenses – General Provisions) will be amended to add provisions concerning the denial, suspension or revocation of business licenses and establishing an appeal procedure. Due to the changes proposed for LEMC Title 5, several changes to Title 17 (Zoning) are required for consistency purposes. The proposed amendments to the LEMC include the following:

1. The addition of two new sections to Chapter 5.08 (Business Licenses – General Provisions) to set forth the ability of the City to deny, suspend, revoke, or fail to renew any business license upon any one of several specific findings.
2. The addition of a new Chapter 5.31 to regulate Sidewalk Vendors within the City of Lake Elsinore, consistent with the requirements of SB 946. The purpose and intent of this Chapter is to regulate Sidewalk Vendors in accordance with State law in order to promote the health, safety, and general welfare of the residents and businesses within the City. The new Chapter will require that all Sidewalk Vendors within the City obtain and maintain a Sidewalk Vendor License from the City in accordance with the criteria and process set forth in Chapter 5.31 and the LEMC. Sidewalk vendors will be required to comply with all applicable laws and regulations. Stationary sidewalk vendors will not be allowed in areas exclusively zoned for residential uses nor in City parks where the operator of the park has signed an agreement for concessions that exclusively permits the sale of food or merchandise by the concessionaire. Sidewalk vendors that sell food will be required to maintain a current and valid permit from the Riverside County Department of Environmental Health.
3. Chapter 5.32 (Peddlers, Solicitors, and Mobile Vendors) will be amended to clarify the definitions of “Business by vehicle” and “Peddler” to specify that these terms refer only when motorized vehicles are used. A new section will be added to Chapter 5.32 and to Chapter 5.33 (Mobile Food Trucks) to specify that those two chapters do not apply to Sidewalk vendors.

4. The amendments to LEMC Title 17 (Zoning) will change the term and definition of “Street vendor” set forth in Section 17.08.190 (“S” definitions) to “Sidewalk vendor” with a definition identical to that set forth by SB 946 in Government Code Section 51036. Section 17.86.020 (RMU) and Section 17.134.020 (CMU) will be amended to be consistent with the requirements of SB 946. Additionally, the exception contained in the RMU and CMU regarding the Downtown Master Plan will be deleted as no longer applicable to these zoning districts.

**PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)**, the City Council will consider making a finding that the proposed amendments to the Lake Elsinore Municipal Code are exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq. “CEQA”) and the State CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Sections 15060(c)(2), 15060(c)(3), and 15061(b)(3) of the State CEQA Guidelines because it will not result in a direct or reasonably foreseeable indirect physical change in the environment, because there is no possibility that it may have a significant effect on the environment, and because it is not a “project” as that term is defined in Section 15378 of the State CEQA Guidelines..

**PLANNING COMMISSION RECOMMENDATION:** On May 7, 2019 at 6:00 p.m., or as soon thereafter as the matter may be heard at a duly noticed public hearing, the Lake Elsinore Planning Commission will make a recommendation to the City Council regarding the proposed amendments to Title 17 of the Lake Elsinore Municipal Code to make the proposed changes related to sidewalk vendors. Information regarding this recommendation will be available on May 8, 2019 by contacting Richard J. MacHott, Planning Manager, at (951) 674-3124 or via email at [rmachott@lake-elsinore.org](mailto:rmachott@lake-elsinore.org).

**ALL INTERESTED PERSONS** are hereby invited to attend this public hearing to present written information, express opinions or otherwise present evidence in the above matters. If you wish to legally challenge any action taken by the City on the above matter, you may be limited to raising only those issues you or someone else at the public hearing described in this notice, or in written correspondence delivered to the City prior to or at the public hearing. The City of Lake Elsinore is committed to making its programs, services and activities accessible to individuals with disabilities. If you require accommodation to participate in a public hearing or any other city program, service or activity, please contact the City Clerk’s office at the address provided above, or call (951) 674-3124 ext. 262. All Agenda materials are available for review at City Hall the Friday before the public hearing.

**FURTHER INFORMATION** on this item may be obtained by contacting Richard J. MacHott, Planning Manager, at (951) 674-3124, ext. 209 or via email at [rmachott@lake-elsinore.org](mailto:rmachott@lake-elsinore.org).

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Mark Mahan  
Deputy City Clerk

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