

ORDINANCE NO. 2018-__

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, ADOPTING THE DOWNTOWN ELSINORE SPECIFIC PLAN (SP 2018-02)**

Whereas, on December 13, 2011 the City Council of the City of Lake Elsinore adopted Ordinance No. 2011-1295 approving the Downtown Master Plan, Key to Downtown Implementation Plan and Downtown Code, which were a vision and strategic framework to guide the future development of the City's downtown core; and

Whereas, the City of Lake Elsinore initiated the Downtown Elsinore Specific Plan (SP 2018-02) to create a more flexible development plan that will replace the previously approved 2011 Downtown Master Plan and related documents (2011 DMP); and

Whereas, the Downtown Elsinore Specific Plan (SP 2018-02) establishes a vision, land use plan and development standards that are intended to enhance Downtown vitality by creating a safe, vibrant and walkable downtown centered along Main Street, make Downtown a centralized destination for community activities and for 18-hour a day activities for families and individuals, and create a "park-once-and-walk" district; and

Whereas, the 178-acre Downtown Elsinore Specific Plan (SP 2018-02) covers an approximately mile-long area centered on Main Street along the historic U.S. Route 395, extending from Flint Street along its northern edge, southwesterly to the edge of the Lake and generally bounded by Riley Street and the Lake Elsinore Outlet Channel on the west and Ellis Street and Chestnut Street on the east; and

Whereas, pursuant to Lake Elsinore Municipal Code Chapter 17.204 (SPD Specific Plan District) the Planning Commission has been delegated with the responsibility of making recommendations to the City Council for approval of specific plans; and,

Whereas, on September 4, 2018, at a duly noticed public hearing the Planning Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item, and adopted Planning Commission Resolution No. 2018-69 recommending that the City Council approve the Downtown Elsinore Specific Plan (SP 2018-02) by ordinance; and

Whereas, pursuant to Section 17.204.130 of the Lake Elsinore Municipal Code, the City Council has the authority to approve, approve with modifications or conditions, or deny specific plans; and

Whereas, on September 25, 2018 at a duly noticed public hearing, the City Council has considered the recommendation of the Planning Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The City Council has reviewed and analyzed proposed Downtown Elsinore Specific Plan (SP 2018-02) (DESP), pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan and the Lake Elsinore Municipal Code and finds that the proposed DESP is consistent with the requirements of California Planning and

Zoning Law and with the goals and policies of the Lake Elsinore General Plan and the Lake Elsinore Municipal Code.

Section 2: That in accordance with the California Government Code, Title 7, Division 1, Article 8, Sections 65450 through 65457, California Planning and Zoning Law, and the Lake Elsinore Municipal Code, the City Council makes the following findings for the approval of DESP:

1. The location and design of the proposed development are consistent with the goals and policies of the City's General Plan and with any other applicable plan or policies adopted by the City.
 - a. *The DESP meets the City's Specific Plan criteria for content and required implementation of the General Plan established by Section 65450 et seq. of the California Government Code and Section 17.204 of the City of Lake Elsinore Municipal Code. Appendix A of the DESP document describes the DESP's consistency with each applicable General Plan goal and policy. Therefore, the proposed DESP complies with the objectives of the General Plan and the purpose of the planning district in which the plan is located.*
2. The proposed location allows development to be well integrated with or adequately buffered from its surroundings, whichever may be the case.
 - a. *The 2011 Downtown Master Plan was originally adopted on December 13, 2011 and the location remains relatively unchanged by the proposed DESP.*
 - b. *The DESP does not include the area located between Spring Street and Ellis Street, and between Flint Street and the Interstate 15 Freeway, although it had been included in the 2011 Downtown Master Plan, in order to recognize existing industrial and commercial land uses that do not reflect the vision of the DESP. Rather than create non-conforming uses with the adoption of the DESP, this area will be given Business Professional and General Commercial land use designations.*
 - c. *The DESP encourages mixed-use land uses, which combine commercial with more dense residential development that supports commercial businesses.*
 - d. *The DESP capitalizes on the nearby Diamond Stadium and sports facility, as well as the existing Links at Summerly Golf Course, Skydive Elsinore, and the Lake Elsinore Motorsports Park by providing a downtown destination for visitors to the City.*
3. All vehicular traffic generated by the development, either in phased increments or at full build-out, is to be accommodated safely and without causing undue congestion upon adjoining streets.
 - a. *A Traffic Impact Analysis was prepared by Urban Crossroads in August 2011 for the 2011 DMP, which provided mitigation measures for development. The DESP retained the overall development potential within the parameters that were evaluated by the Analysis, and those applicable mitigation measures will apply to DESP development.*
4. The Specific Plan's land uses will be adequately served by existing or proposed public facilities and services.

- a. *DESP identifies methodologies to assure that land uses will be adequately served by existing or proposed public facilities and services. Suitable areas are suggested for parks, pedestrian ways, and public open spaces. It also identifies necessary streets and circulation to support the proposed land use allocations, as well as all necessary wet and dry utilities for proper and adequate infrastructure services.*
5. The overall design of the specific plan will produce an attractive, efficient and stable development.
 - a. *Design standards and guidelines are incorporated into the Plan to ensure an attractive, efficient and vibrant project. Visual graphics and photos accompany the design guidelines that capture the atmosphere and cohesiveness that the Plan seeks to emulate.*
6. In accordance with the requirements of the California Environmental Quality Act (CEQA), impacts have been reduced to a less than significant level, or in the case where impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation.
 - a. *The DESP retains the overall development potential or recommends less intense uses as the existing 2011 DMP. In 2011, the City Council of the City of Lake Elsinore certified the Program Environmental Impact Report (PEIR) (SCH No. 2005121019) and adopted the City's 2011 General Plan Update, 2008-2014 Housing Element, Climate Action Plan, and the 2011 Downtown Master Plan (DMP). The PEIR analyzed the scope and nature of development proposed to meet the goals of downtown development as set out in the DMP along with identifying measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts associated with downtown development under the DMP.*
 - b. *In addition to serving as the environmental document for the approval of the 2011 General Plan Update, Housing Element, Climate Action Plan, and DMP, the PEIR was intended by the City to be the basis for compliance with CEQA for future discretionary actions. Under CEQA guidelines for using program EIRs with later activities, if a proposed later activity involves no new or substantially more severe significant effects and no new mitigation measures would be required, a program EIR is deemed to have adequately analyzed the later activity for CEQA purposes and no further review under CEQA is required.*
 - c. *The Downtown Elsinore Specific Plan (DESP) represents a reimagining of the DMP rather than a substantial revision. The PEIR included an analysis of the environmental effects and sets out mitigation measures needed to minimize or eliminate any identified impacts related to downtown development under the DMP. The overall development potential within the boundaries of the original DMP remains substantially unchanged under the DESP such that there are no new or substantially more severe significant effects and no new mitigation measures are necessary. Accordingly, PEIR serves as the required environmental documentation for the DESP, the General Plan Amendment and Zone Change.*
7. The proposed DESP will not be a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed Plan or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

- a. *The focus of proposed land uses within the specific plan offers development opportunities that respond to the marketplace and are feasible within the constraints in the area.*

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the City Council hereby adopts Downtown Elsinore Specific Plan (SP 2018-02).

Section 4: Severability. If any provision of this Ordinance or its application is held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions, sections, or applications of the Ordinance which can be given effect without the invalid provision or application, and to this end each phrase, section, sentence, or word is declared to be severable.

Section 5: Effective Date. This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31st) day after the date of adoption.

Section 6: Certification. The City Clerk shall certify to the passage of this Ordinance and shall cause a synopsis of the same to be published according to law.

Passed and Adopted on this ____ day of _____, 2018.

Natasha Johnson
Mayor

Attest:

Susan M. Domen, MMC,
City Clerk

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

I, Susan M. Domen, MMC, City Clerk of the City of Lake Elsinore, do hereby certify that the foregoing Ordinance No. 2018-____ was introduced at the Regular meeting of _____, 2018, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of _____, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

I further certify that said Synopsis was published as required by law in a newspaper of general circulation in the City of Lake Elsinore, California on the ____ day of _____, 2018, and on the ____ day of _____, 2018.

Susan M. Domen, MMC
City Clerk