

RESOLUTION NO. 2019-__

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,
CALIFORNIA, FINDING THAT TENTATIVE PARCEL MAP NO. 37465 IS
CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES
HABITAT CONSERVATION PLAN (MSHCP)**

Whereas, Eric Werner, Nichols Road Partners, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Tentative Parcel Map (TPM) No. 37465 for a subdivision of a 234.6-acre site into four (4) parcels ranging in size from 16.3 acres to 92 acres for the purpose of Financing and Conveyance only and to adjust lot lines to accommodate ultimate (i.e., long-range) improvements to Nichols Road. No grading permits, building permits or other development will be allowed with this approval. The Project is located on the easterly side of I-15 Freeway and westerly of Wood Mesa Court/El Toro Road. (APNs: 389-200-035, 036, 038, 039, 389-210-008, 032, 034, and 036); and,

Whereas, Section 6.0 of the Multiple Species Habitat Conservation Plan (MSHCP) requires that all discretionary projects within a MSHCP Criteria Cell undergo the Lake Elsinore Acquisition Process (LEAP) and the Joint Project Review (JPR) 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 Lake Elsinore Municipal Code (LEMC) Chapter 16.24 (Tentative Map) the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to the tentative map review; and,

Whereas, on March 19, 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; and,

Whereas, pursuant to Section 16.24.120 of the LEMC, the Council has the responsibility of making decisions to approve, conditionally approve, or disapprove recommendations of the Commission for tentative maps; and,

Whereas, on April 9, 2019, at a duly noticed Public Hearing, the Council has considered the recommendation of the 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 Council has considered the Project and its consistency with the MSHCP prior to adopting Findings of Consistency with the MSHCP.

Section 2: That in accordance with the MSHCP, the Council makes the following findings for MSHCP consistency:

1. The Project is a project under the City's MSHCP Resolution, and the City must make an

MSHCP Consistency finding before approval.

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading permits, building permits, or other development will be allowed with this approval. Therefore, does not constitute as a project under the City's MSHCP Resolution. MSHCP Consistency findings will be made with a subsequent tentative tract map or tentative parcel map to subdivide this property.

2. The Project is subject to the City's LEAP and the Western Riverside County Regional Conservation Authority's (RCA) Joint Project Review processes.

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading permits, building permits, or other development will be allowed with this approval. The LEAP or JPR processes will be completed with a subsequent tentative tract map or tentative parcel map to subdivide this property.

3. The Project is consistent with the Riparian/Riverine Areas and Vernal Pools Guidelines.

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. 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 Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. Therefore, Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP are not applicable.

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

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. Therefore, the provisions of MSHCP Section 6.3.2 are not applicable.

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

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. 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 Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. Therefore, the mapping requirements set forth in MSHCP Section 6.3.1. are not applicable.

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

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. 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 Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading or other development is proposed with this subdivision. The Project will be required to pay the City's MSHCP Local Development Mitigation Fee with a subsequent tentative tract map or tentative parcel map to subdivide this property.

10. The Project is consistent with the MSHCP.

The Tentative Parcel Map is a subdivision of a 234.6-acre site into four (4) parcels for Financing and Conveyance purposes only. No grading permits, building permits, or other development will be allowed with this approval. As described above, MSHCP Consistency findings will be made with a subsequent tentative tract map or tentative parcel map to subdivide this property.

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby finds that the Project is consistent with the MSHCP.

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

Section 5: The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

Passed and Adopted on this 9th day of April, 2019.

Steve Manos, Mayor

Attest:

Mark Mahan, Deputy City Clerk

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

I, Mark Mahan, Deputy City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2019-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of April 9, 2019, and that the same was adopted by the following vote:

AYES:

NOES:
ABSENT:
ABSTAIN:

Mark Mahan, Deputy City Clerk