

RESOLUTION NO. 2019-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPT FINDINGS THAT PLANNING APPLICATION NO. 2016-00044 (RESIDENTIAL DESIGN REVIEW NO. 2019-00002) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Whereas, Pardee Homes, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2016-00044 (Residential Design Review No. 2019-00002) for the design and construction of 163 detached single-family dwelling units ranging in size from 1,793 sq. ft. to 2,267 sq. ft. with associated features and facilities upon a previously approved condominium map within Tract No. 33267 (Project). The project is located near the intersection of Riverside Drive and Grand Avenue within the Village at Lakeshore Specific Plan (APNs: 379-050-034 and 006); and,

Whereas, Section 6.0 of the MSHCP requires that all discretionary projects within an MSHCP criteria cell undergo the Lake Elsinore Acquisition Process (LEAP) and 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 cell criteria, and the MSHCP goals and objectives; and,

Whereas, pursuant to Lake Elsinore Municipal Code (LEMC) Chapter 17.184 (Design Review) the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to the residential design review; and,

Whereas, no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in an earlier mitigated negative declaration. All potentially significant impacts have been avoided or mitigated pursuant to the earlier mitigated negative declaration and none of the conditions described in Section 15162 exist. Mitigated Negative Declaration (MND) No. 2006-05 (State Clearinghouse No. 200671027) was adopted by the City Council on September 12, 2006. Addendum #1 to MND 2006-05 was subsequently approved by the City Council on June 23, 2015. No substantial changes which require major revisions to the mitigated negative declaration exist and no new information of substantial importance which require revisions to the earlier mitigated negative declaration exist. Therefore, no further environmental documentation is necessary.

Whereas, on April 16, 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.

Whereas, pursuant to Section 17.184.090 of the LEMC the Council has the responsibility of making decisions to approve, modify, or disapprove recommendations of the Commission for residential design review applications; and,

Whereas, on May 11, 2019, at a duly noticed Public Meeting, 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.

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).

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

The Project is located within the MSHCP Elsinore Area Plan but is not located within a MSHCP Criteria Cell. Therefore, the project was not required to go through the LEAP or JPR processes.

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

The previously approved Village at Lakeshore Specific Plan No. 1 was determined to be consistent with the Riparian/Riverine and Vernal Pool Guidelines as set forth in Section 6.1.2 of the MSHCP. The scope and nature of the Project have not been modified from that which was previously approved and is therefore consistent with the Riparian/Riverine Areas and Vernal Pools Guidelines.

4. The Project is consistent with the Protection of Narrow Endemic Plant Species Guidelines.

The previously approved Village at Lakeshore Specific Plan No. 1 was consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP. The Project has not been modified from that which was previously approved under the Village at Lakeshore Specific Plan Amendment No. 1.

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

The previously approved Village at Lakeshore Specific Plan No. 1 was consistent with the Additional Survey Needs and Procedures as set forth in Section 6.3.2 of the MSHCP. The Project has not been modified from that which was previously approved under the Village at Lakeshore Specific Plan Amendment No. 1. The Project is consistent with the Additional Survey Needs and Procedures of the MSHCP.

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

The previously approved Village at Lakeshore Specific Plan No. 1 was consistent with the Urban/Wildlands Interface Guidelines as set forth in Section 6.1.4 of the MSHCP. Because the Project has not been modified from that which was previously approved under the Village at Lakeshore Specific Plan No. 1, no further MSHCP review is necessary and the Project is consistent with the Urban/Wildlands Interface Guidelines.

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

The previously approved Village at Lakeshore Specific Plan No. 1 was consistent with the Vegetation Mapping requirements as set forth in Section 6.3.1 of the MSHCP. Mapping was conducted as part of the biological surveys for the original project. The Project has not been modified from that which was previously approved and therefore is consistent with the Vegetation Mapping requirements.

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

The previously approved Village at Lakeshore No. 1 was consistent with the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP. The Project site is not within or adjacent to conservation areas where the Fuels Management Guidelines would be required. The Project has not been modified from that which was previously approved and therefore is consistent with the Fuel Management Guidelines.

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

As stated in No. 1 above, the Project is within the Village at Lakeshore Specific Plan area which has previously been determined to be consistent with the MSHCP.

Section 3: Based upon the evidence presented, both written and testimonial, and the above findings, the Commission hereby recommends that the Council find 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 11th day of May 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 May 11, 2019, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mark Mahan, Deputy City Clerk