

**ORDINANCE NO. 2019-\_\_**

**AN ORDINANCE THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE,  
CALIFORNIA, ADOPTING THE NICHOLS RANCH SPECIFIC PLAN (SP NO. 2018-  
01) AND SPECIFIC PLAN AMENDMENT NO. 2017-03**

**Whereas**, Eric Werner, Nichols Road Partners, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2017-29 (Specific Plan No. 2018-01, Specific Plan Amendment No. 2017-03, General Plan Amendment No. 2018-01, Zone Change No. 2018-01, and Tentative Tract Map No. 37305) to establish the Nichols Ranch Specific Plan (NRSP) over the 72.5-acre property that includes 168 residential homes on approximately 31.1 acres; 14.5 acres of commercial uses (130-room hotel, 6,000 Square Foot (SF) fast-food restaurant with a drive-through, 5,500 SF fast-food restaurant without a drive-through, 9,400 SF sit-down restaurant, 4,400 SF commercial retail uses, an 8,000 SF health and fitness club, a gas station (with market and car wash) with 16 fueling stations, and 43,000 SF office uses); 8.3 acres of recreation uses; drainage basins on 5.5 acres; 1.3 acres of open space; and roadways on 5.3 acres; and,

**Whereas**, the Project is located in the northeastern portion of the City of Lake Elsinore, and is located east of the I-15, south of Nichols Road, and west of Wood Mesa Court/El Toro Road. The Project site encompasses Assessor Parcel Numbers (APNs) 389-200-038, 389-210-008, 389-210-032, 389-210-034, and 389-210-036; and,

**Whereas**, Specific Plan No. 2018-01 proposes to establish the NRSP across the entire 72.5-acre site to allow for development of the site with 168 single-family residential homes on approximately 31.1 acres, with a 14.5-acre commercial center, 8.3 acres of parks and 7.8 acres of open space. The NRSP also would establish development standards and design guidelines to provide guidance for future development of the site; and,

**Whereas**, Specific Plan Amendment No. 2017-03 proposes Amendment No. 3.1 to the Alberhill Ranch Specific Plan (ARSP) to remove the northern 45.4 acres of the Project site that are currently located within the ARSP. With approval of the Project, development of the northern 45.4 acres of the Project site would be regulated by the NRSP instead of by the ARSP; and,

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

**Whereas**, on May 21, 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 adopted a resolution recommending that the Council approve Specific Plan No. 2018-01 and Specific Plan Amendment No. 2017-03; and,

**Whereas**, pursuant to Section 17.204.130 of the LEMC, the Council has the authority to approve, approve with modifications or conditions, or deny specific plans and any amendments thereto; and,

**Whereas**, on June 11, 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 ORDAIN AS FOLLOWS:**

**Section 1:** The Council has reviewed Specific Plan No. 2018-01 (Nichols Ranch Specific Plan) and Specific Plan Amendment No. 2017-03 (Amendment No. 3.1 to the Alberhill Ranch Specific Plan), pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan and the LEMC and finds that the proposed Project 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:** The Council has certified the Final Environmental Impact Report (FEIR) (SCH No. 2018051051) and adopted the Mitigation Measures appertaining thereto. The FEIR was prepared pursuant to Section 15162 of the California Environmental Quality Act (CEQA) Guidelines. Appropriate findings were made, and the FEIR provides the necessary environmental clearance for SP No. 2018-01 and SPA 2017-03.

**Section 3:** 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 Council makes the following findings for the approval of Specific Plan No. 2018-01 (Nichols Ranch Specific Plan) and Specific Plan Amendment No. 2017-03 (Amendment No. 3.1 to the Alberhill Ranch Specific Plan):

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.

*Specific Plan Amendment No. 2017-03 is proposing Amendment No. 3.1 to the Alberhill Ranch Specific Plan (ARSP) to remove the northern 45.4 acres of the Project site that are currently located within the ARSP. Specific Plan No. 2018-01 is proposing to establish the NRSP across the entire 72.5-acre site to allow for development of the site with 168 single-family residential homes on approximately 31.1 acres, with a 14.5-acre commercial center, 8.3 acres of parks and 7.8 acres of open space. The NRSP 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 LEMC. The NRSP is consistent with the all applicable General Plan goals and policies as outlined below:*

- a. *Community Form-Land Use Element. The Project proposes development of 168 single-family residential homes, 14.5 acres of commercial uses, and 8.3 acres of recreational uses. Environmental impacts associated with GPA 2018-01 have been evaluated under the relevant issue areas throughout this EIR. Although the Project proposes dwelling units and less retail space than assumed by the General Plan, there are no adverse environmental effects associated with such changes that have not already been evaluated and addressed throughout this EIR. The Project would be consistent with all of the policies contained within the Land Use Element.*
- b. *Community Form-Circulation Element. The various roadway improvements and extensions contemplated by the Circulation Element are reflected on Figure 2.3 of the Community Form Chapter of the General Plan. The Circulation Element also contemplates improvements to bicycle and pedestrian facilities, which are reflected in Figure 2.5 and 2.6 of the Community Form Chapter, respectively. As noted above in the Master Circulation*

*Plan for NRSP, the Project would be fully consistent with Figure 2.3, 2.5, and 2.6 of the Community Form Chapter.*

- c. Community Form-Growth Management Element. The Growth Management Element provides goals and policies to ensure that public services do not lag behind population growth and the concomitant demands created by a larger population. The Project's impacts to public services have been evaluated in the EIR Subsection 4.13. The Project would be consistent with or otherwise would not conflict with the goals and policies of the Growth Management Element.*
  - d. Community Form-Housing Element. The Project would provide for up to 168 single-family residential homes, which would assist the City in meeting its share of the regional housing need. The Project would be consistent with or otherwise would not conflict with any of the adopted Housing Element goals.*
  - e. Community Form-Parks and Recreation Element. The Parks and Recreation Element includes goals and policies designed to provide the City with the tools and opportunities necessary to create a recreational destination and foster community building for the City of Lake Elsinore. The Project would construct parks on-site in compliance with the requirements of Policy 8.2.*
  - f. Alberhill District Plan. The northern 45.4 acres of the Project site are located within the Alberhill District Plan. The main concept of the Alberhill District Plan is a coordinated and balanced set of communities with supporting uses that maintain a high quality of life. The Project proposes a General Plan Amendment (GPA 2018-01), Specific Plan Amendment (SPA No. 2017-03), and Specific Plan (SP No. 2018-01) to change the site's land use designation to allow for residential and commercial uses. The Project would be consistent with the goals of the Alberhill District Plan, including the goal to support and maintain a healthy transition from extractive/mining activities to a network of residential communities with a balanced mix of residential and commercial uses.*
  - g. North Central Sphere District. The southern 27.1 acres of the Project site are located within the North Central Sphere District. The main focus of the North Central Sphere District Plan is to preserve existing natural resources, ensure residential development incorporates the surrounding landscape, and ensure that business activities in the District are compatible with surrounding land uses. The Project would be consistent with the goals of the North Central Sphere District Plan, including the goal to make planned residential and professional uses compatible with the surrounding development. Therefore, the proposed NRSP complies with the objectives of the General Plan and the purpose of the planning district in which the site is located.*
2. The proposed location allows the development to be well integrated with or adequately buffered from its surroundings, whichever may be the case.
- a. The NRSP provides a high-quality housing opportunities designed to be marketable and accessible to all economic segments within the City of Lake Elsinore;*
  - b. The NRSP provides commercial uses to ensure land use diversity, and provide convenient retail options for residents of the City and increase the sales tax base of the City;*
  - c. The NRSP provides Recreational uses for residents within NRSP and the surrounding neighborhoods;*

- d. The NRSP provides value in the community through creative design techniques to complement the views of the surrounding hills;*
- e. The NRSP preserves the natural habitats and natural drainage courses within Stovepipe Creek and provides residents with a visual and recreational centerpiece; and,*
- f. The NRSP integrates the community with the character of the surrounding community and establish development that results in logical, coordinated growth.*

- 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 Traffic Impact Analysis dated December 18, 2018, was prepared by Urban Crossroads, Inc. for the NRSP. The Traffic Impact Analysis provided mitigation measures through all phases of development of the specific plan.*

- 4. The Specific Plan Amendment's land uses will be adequately served by existing or proposed public facilities and services.

*NRSP identifies methodologies to assure that land uses will be adequately served by existing or proposed public facilities and services. Suitable areas are reserved 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.

*Design standards and guidelines are incorporated into the specific 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 specific 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.

*The effects of the proposed NRSP has been analyzed in the Environmental Impact Report (SCH 2018051051) prepared for the NRSP and its related cases, and adequate mitigation measures have been prepared where necessary, and a Statement of Overriding Considerations has been recommended where required.*

- 7. The proposed NRSP 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 amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

- a. *The proposed NRSP has been analyzed relative to its potential to have detrimental effects, and land uses designations and regulations have been imposed to ensure that the health, safety and welfare of affected residents will be protected.*
- b. *The focus of proposed land uses within the specific plan offers development opportunities heretofore unidentified and absent, that respond to the marketplace and are feasible within the constraints in the area.*

**Section 4:** Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby adopts Specific Plan No. 2018-01 (Nichols Ranch Specific Plan) and Specific Plan Amendment No. 2017-03 (Amendment No. 3.1 to the Alberhill Ranch Specific Plan).

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

**Section 5: 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 6: Effective Date.** This Ordinance shall become effective at 12:01 a.m. on the thirty-first (31<sup>st</sup>) day after the date of adoption.

**Section 7: 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 \_\_\_\_\_, 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, do hereby certify that the foregoing Ordinance No. 2019-\_\_\_\_ was introduced at the Regular meeting of June 11, 2019, and adopted by the City Council of the City of Lake Elsinore at its Regular meeting of \_\_\_\_\_, 2019, 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 \_\_\_\_\_, 2019, and on the \_\_\_\_day of \_\_\_\_\_, 2019.

---

Mark Mahan, Deputy City Clerk