

**RESOLUTION NO. 2020-\_\_**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE  
ELSINORE, CALIFORNIA, RECOMMENDING ADOPTION OF FINDINGS THAT  
PLANNING APPLICATION NO. 2019-47 (ZONE CHANGE NO. 2019-06 AND  
TENTATIVE PARCEL MAP NO. 37773) IS CONSISTENT WITH THE WESTERN  
RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN  
(MSHCP)**

**Whereas**, Debra Wong, RKW MLW Elsinore, LP, has filed an application with the City of Lake Elsinore (City) requesting approval of Zone Change No. 2019-06 to change the zoning designation for a small portion of the property from Limited Manufacturing (M-1) to Commercial Manufacturing (C-M) Zone and Tentative Parcel Map No. 37773 to subdivide an 8.46-acre site into four (4) parcels ranging in size from 0.97 acres to 2.9 acres, and one (1) 1.6-acre remainder parcel. The Project is located at the southeasterly corner of Riverside Drive and Collier Avenue. (APN: 377-120-065); 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) Section 17.415.040 (Zoning amendments) and 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 zone changes and tentative maps; and,

**Whereas**, on January 21, 2020 and February 18, 2020, 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.

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

**Section 1:** The Commission has considered the Project and its consistency with the MSHCP prior to recommending that the Council adopt Findings of Consistency with the MSHCP.

**Section 2:** That in accordance with the MSHCP, the Commission 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 lies 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 processes.

*As stated above, the Project is not located within a Criteria Cell and therefore the Project was not processed through the City's LEAP and the RCA's Joint Project Review process.*

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

*The site reconnaissance survey revealed that no riparian, riverine, vernal pool/fairy shrimp habitat or other aquatic resources exist on the site. 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 site does not fall within any Narrow Endemic Plant Species Survey Areas. Neither a habitat assessment nor further focused surveys are required for the Project. Therefore, Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP are not applicable to the Project.*

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

*The MSHCP only requires additional surveys for certain species if the Project is located in Criteria Area Species Survey Areas, Amphibian Species Survey Areas, Burrowing Owl Survey Areas, and Mammal Species Survey Areas of the MSHCP. The Project site is not located within any of the Critical Species Survey Areas. Therefore, the provisions of MSCHP Section 6.3.2 are not applicable.*

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

*The Project site is not within or adjacent to any MSHCP criteria or conservation areas. 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.

*There are no resources located on the Project site requiring mapping as set forth in MSCHP Section 6.3.1.*

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

*The Project site is not within or adjacent to any MSHCP criteria or conservation areas. 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.

*As a condition of approval, the Project will be required to pay the City's MSHCP Local Development Mitigation Fee at the time of issuance of building permits.*

10. The Project is 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.

**Passed and Adopted** on this 18<sup>th</sup> day of February, 2020.

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Michael Carroll, Chairman

**Attest:**

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Justin Kirk,  
Assistant Community Development Director

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

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, hereby certify that Resolution No. 2020-\_\_ was adopted by the Planning Commission of the City of Lake Elsinore, California, at a regular meeting held on the 18<sup>st</sup> day of February, 2020 and that the same was adopted by the following vote:

AYES  
NOES:  
ABSTAIN:  
ABSENT:

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Justin Kirk,  
Assistant Community Development Director