



REPORT TO PLANNING COMMISSION

To: Honorable Chairman and Members of the Planning Commission

From: Justin Kirk, Assistant Community Development Director
Prepared by: Damaris Abraham, Senior Planner

Date: February 18, 2020

Subject: **Planning Application No. 2019-47** – Subdivision of an 8.46-acre site into four (4) parcels and one (1) remainder parcel and zone change from Limited Manufacturing (M-1) to Commercial Manufacturing (C-M) for a small portion of the property.

Applicant: Debra Wong, RKW MLW Elsinore, LP

Recommendation

adopt 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); and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF ZONE CHANGE NO. 2019-06; and,

adopt A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP NO. 37773.

Background

The project was continued from the January 21, 2020 Planning Commission hearing in order to allow staff and the applicant additional time to revise the tentative map and the conditions of approval. The necessary revisions to the map and the conditions of approval have been completed and are included in the staff report.

Project Description & Location

Zone Change No. 2019-06 proposes to change the zoning designation for a small portion of the property from Limited Manufacturing (M-1) to Commercial Manufacturing (C-M) Zone.

Tentative Parcel Map No. 37773 is a subdivision of 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).

Environmental Setting

	EXISTING LAND USE	GENERAL PLAN	ZONING
Project Site	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M) and Limited Manufacturing (M-1)
North	Recycling/Cemetery	Public Institutional (PI)	Public Institutional (PI)
South	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M) and Limited Manufacturing (M-1)
East	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M)
West	Vacant	Limited Industrial (LI)	Commercial Manufacturing (C-M)

Analysis

General Plan Consistency

The Project has a General Plan Land Use designation of Limited Industrial (LI). This designation provides for industrial parks, warehouses, manufacturing, research and development, public and quasi-public uses, and similar and compatible uses. The Zone Change is proposing to change the zoning designation of a small portion of the Project site from Limited Manufacturing (M-1) to Commercial Manufacturing (C-M) to ensure that the subject property has only has one zoning designation. The C-M zone is compatible with the LI Land Use Designation. The Tentative Parcel Map is a subdivision of an 8.46-acre site into four (4) parcels and a remainder parcel. The Tentative Parcel Map is consistent with the designated land use, development and design standards, and all other appropriate requirements contained in the General Plan.

Municipal Code Consistency

The current zoning for the subject property is Commercial Manufacturing (C-M) and Limited Manufacturing (M-1).

The proposed Zone Change is being processed to correct a mapping error for a small portion of the subject property (see attached Exhibit G). The Zone Change ensures that the subject property has one zoning designation of Commercial Manufacturing (C-M). The C-M zone is compatible with the Limited Industrial (LI) Land Use Designation.

The Tentative Parcel Map is a subdivision of an 8.46-acre site into four (4) parcels and a remainder parcel. Section 17.132.060 of the Lake Elsinore Municipal Code (LEMC) requires the minimum street frontage width of any new lot created in the C-M district to be 100 feet. The proposed tentative map will have a minimum street frontage width of 100 feet. Section 17.132.050 requires the minimum lot area for new lots in the C-M district to be 20,000 square feet net. The minimum lot size for this tentative map is 42,253 sq. ft. (0.97 acres). The Tentative Map also complies with Chapter 16.24 (Tentative Map) of the LEMC and the Subdivision Map Act. The applicant has not proposed any specific physical development of the subject site. Accordingly, the Project consist of only the corrective action to the zoning designation and the legal division of the existing parcel. Any future development would be subject to additional City review and approval.

The Design Review Committee that includes staff from Planning, Building and Safety, Fire, and Engineering have reviewed the proposed Project. Appropriate Conditions of Approval have been included.

Environmental Determination

The General Plan is a long-term policy guide for the development of the City, but does not propose specific development that can be analyzed at a project-specific level. Therefore, the General Plan EIR is a Program EIR (State Clearinghouse No. 2005121019). A Program EIR provides a more general analysis of the General Plan that focuses on the overall effects of implementation of the General Plan.

Because the General Plan does not contain details of any specific project, the location-specific effects cannot be analyzed without speculation as to the ultimate use that could be proposed on a particular site. The proposed General Plan designations provide the parameters of uses that would be allowed, but a multitude of different business types or residential uses could be developed at a varying intensities or densities at any particular location, so the project-level detail is not available to support meaningful environmental evaluation of impacts at specific sites. "Where future development is unspecified and uncertain, no purpose can be served by requiring an EIR to engage in sheer speculation as to future environmental consequences." (*City of Santee v. County of San Diego* (1989) 214 Cal.App.3d at p. 1453) Similarly, in order to provide project-level quantification of impacts and specificity of mitigation measures, the City would be required to speculate regarding the details of future development on the project site.

Pursuant to Public Resources Code section 21083.3 and CEQA Guideline 15183(a), a project that is consistent with the development densities established in a General Plan for which an EIR was certified is not required to undergo additional environmental review "except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site." As noted above, a Program EIR was certified for the General Plan.

As there is no development currently proposed for the subject site, there are no "project-specific significant effects which are peculiar to the project or its site" to analyze at this time.

Any future development applications on the subject site will be subject to project-specific CEQA review consistent with Public Resources Code section 21083.3 and Guideline section 15183 at the time a project is proposed to determine if mitigation would be required to reduce potential impacts. This process would include an opportunity for public review and comment. If feasible measures are available to reduce impacts, those will be imposed on the site-specific project. However, as there is currently no development proposal for the subject site, there is insufficient information to conduct project-level review at this time and any attempt to provide project-level review would be speculative.

Given these factors, no further CEQA analysis is required at this time. Thus, staff is recommending the Planning Commission make a recommendation to the City Council of a determination that no additional environmental review is required per Public Resource Code section 21083.3 and CEQA Guidelines Section 15183.

Exhibits

A – MSHCP Resolution

- B – ZC Resolution
- C – TPM Resolution
- D – Conditions of Approval
- E – Vicinity Map
- F – Aerial Map
- G – Zoning Map
- H – Zone Change No. 2019-06
- I – Tentative Parcel Map No. 37773