

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING TENTATIVE PARCEL MAP NO. 38825 TO SUBDIVIDE AN EXISTING 74.72-ACRE PROPERTY INTO THREE (3) NEW PARCELS THAT ARE 4.74 ACRES, 19.99 ACRES, AND 49.99 ACRES, RESPECTIVELY, FOR CONSERVATION PURPOSES, LOCATED AT APNS 373-330-001 THROUGH 022 AND 373-300-038 THROUGH 041

Whereas, Patrick Brown, WatersEdge Elsinore, has filed an application with the City of Lake Elsinore (City) requesting approval of Tentative Parcel Map No. 38825 to subdivide an existing 74.72-acre property into three (3) new parcels that are 4.74 acres, 19.99 acres, and 49.99 acres, respectively, for conservation purposes. The project is located on the southern side of Lakeshore Drive, west of Lucerne Street, and southeasterly of the intersection of South Main Street and Lakeshore Drive (APNs: 373-330-001 through 022 and 373-300-038 through 041);

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 tentative maps;

Whereas, on July 16, 2024, at a duly noticed Public Hearing, the Commission 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 Tentative Parcel Map No. 38825;

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 August 27, 2024, 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 forgoing recitals are true and correct and are hereby incorporated into these findings by this reference.

Section 2: The Council has reviewed and analyzed Tentative Parcel Map No. 38825 pursuant to the appropriate Planning and Zoning Laws and Chapter 16 (Subdivisions) of the LEMC and the Subdivision Map Act.

Section 3: In accordance with the California Environmental Quality Act (CEQA) Guidelines Sections 15304 (Minor Alterations to Land) and 15315 (Minor Land Divisions), the Council makes the following findings and recommendations regarding the approval of Tentative Parcel Map No. 38825:

1. The Project is exempt from CEQA pursuant to CEQA Guidelines Section 15304 (Minor Alterations to Land). Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy,

mature, scenic trees except for forestry or agricultural purposes. The project does not include the removal of healthy, mature, or scenic trees and proposed improvements are limited to micro grading to restore natural habitats.

2. The Project is exempt from CEQA pursuant to Section 15315 (Minor Land Divisions). Class 15 consists of the division of property in urbanized areas zoned for residential, commercial, or industrial use into four or fewer parcels when the division is in conformance with the General Plan and zoning, no variances or exceptions are required, all services and access to the proposed parcels to local standards are available, the parcel was not involved in a division of a larger parcel within the previous 2 years, and the parcel does not have an average slope greater than 20 percent. Tentative Parcel Map No. 38825 is a subdivision of an existing 74.72-acre property into three (3) new parcels that are 4.74 acres, 19.99 acres, and 49.99 acres, respectively, for conservation purposes. The proposed subdivision is compliant with the General Plan and Zoning Classification as adopted by the East Lake Specific Plan's standards, no variances or exceptions are required, access is available, and the parcel was not involved in a division of a larger parcel within the previous two (2) years, and the proposed parcels do not have an average slope greater than 20 percent.

Section 4: That in accordance with State Planning and Zoning Law and the Lake Elsinore Municipal Code, the Council makes the following findings for approval of Tentative Parcel Map No. 38825:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan. The proposed subdivision is compatible with the objectives, policies, general land uses, and programs specified in the General Plan (Government Code Section 66473.5).

The project site is located within Planning Area 8 of the East Lake Specific Plan (ELSP) and has Action Sports, Tourism, Commercial, and Recreation with a Mixed Use Overlay. The land use regulation including development standards for Planning Area 8, where the project site is located, are derived from Chapter 2.5 of the ELSP. Allowable uses in Planning Area 8 include bars or cocktail lounges, hotels, passive open space, and natural areas or preserves. For a newly created parcel, Planning Area 8 does not have minimum lot size requirements. However, it does require newly created parcels to have a minimum width of 100 feet. The three proposed parcels would establish natural areas and preserves for conservation easement purposes and have lot widths that exceed the minimum requirement. Therefore, the proposed project complies with the ELSP development standards for Planning Area 8. The Tentative Parcel Map is consistent with the designated land use, development, design standards, and all other appropriate requirements in the General Plan and the Subdivision Map Act. The project is also consistent with the General Plan because the ELSP was found to be consistent with the General Plan at adoption.

2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.

The proposed subdivision is to establish conservation easements and involves no development including new structures or dwelling units. This finding does not apply to the project.

3. The effects that this project is likely to have upon the housing needs of the region, the public service requirements of its residents, and the available fiscal and environmental resources have been considered and balanced.

The proposed parcels will undergo a habitat rehabilitation process that aims to restore native riparian and riverine habitats, restore and expand vernal pool habitats, remove invasive non-native plants, and plant native flora. Once restored, the parcels are proposed to be used as a mitigation bank to be owned and managed by the applicant. The project as proposed will not have a direct impact on housing needs, public services, or fiscal resources. It will create a positive impact on environmental resources by protecting the subject parcels in perpetuity as conservation.

4. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.

The proposed subdivision will create a mitigation bank and remain as open space for conservation purposes. The project involves no development activity and will not be accessible to the public. The Tentative Parcel Map has been adequately conditioned by all applicable departments and agencies and will not result in any significant environmental impacts. The proposed subdivision, together with the conditions applicable thereto, will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.

Section 5: Based upon all of the evidence presented, the above findings, and the conditions of approval imposed upon the Tentative Map, the Council hereby approves Tentative Parcel Map No. 38825.

Section 6: This Resolution shall take effect immediately upon its adoption.

Section 7: 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 27th day of August 2024.

Steve Manos, Mayor

Attest:

Candice Alvarez, MMC,
City Clerk

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

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, hereby certify that Resolution No. 2024-__ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on August 27, 2024 and that the same was adopted by the following vote:

AYES

NOES:

ABSTAIN:

ABSENT:

Candice Alvarez, MMC,
City Clerk