

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING A TWO-YEAR EXTENSION OF TIME TO FEBRUARY 8, 2026 FOR TENTATIVE TRACT MAP NO. 38116

Whereas, on February 8, 2022, the City Council (Council) approved Tentative Tract Map (TTM) No. 38116 to subdivide the 34.81-acre site into nine (9) lots ranging in size from 0.65 acres to 15.64 acres. One (1) 10.94-acre lot for detached 140 condominium residences, one (1) 15.65 reserved open space lot, one (1) 1.39-acre water quality basin, two (2) recreation lots (0.77 acres), private streets (4.60 acres), and four (4) open space landscaping lots (0.65 acres). The project is located along State Route 74 (SR-74) east of the intersection of Riverside Drive and Grand Avenue (APNs: 379-060-005, 022 and 027);

Whereas, the Lake Elsinore Municipal Code (LEMC) Section 16.24.160 requires that a land divider wishing to extend the life of a tentative map make a written application to the City Council (Council) not less than 30 days prior to the expiration of the tentative map requesting an extension of time on the map;

Whereas, Rick Rush, Tri Pointe Homes, submitted a request for an extension of time for TTM No. 38116 on December 22, 2023; and

Whereas, on March 26, 2024, at a duly noticed Public Hearing the Council has considered the recommendation of City staff 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 reviewed and analyzed the proposed Project pursuant to the appropriate Planning and Zoning Laws, and Chapter 16 (Subdivisions) of the LEMC.

Section 2: On February 8, 2022, the City adopted a Mitigated Negative Declaration (MND) (ER 2021-02) (SCH No. 2021110300) for the project in compliance with CEQA. The extension of time request has been evaluated against the previous analysis and mitigation measures contained in the MND. The extension does not create new significant impacts or substantially increase the severity of previously analyzed impacts compared to those identified previously and mitigated for in the MND. Therefore, the extension of time request is "within the scope" of the previously adopted CEQA document. Accordingly, Public Resources Code Section 21166 and CEQA Guidelines Section 15162 bars the preparation of any further environmental review.

Section 3: That in accordance with the California Subdivision Map Act (Cal. Gov. Code Section 66000 et. seq.) and the LEMC Section 16.24.160, the Council made and hereby reaffirms the following findings for the approval of TTM No. 38116:

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).
 - a. *The project site has General Plan land use designations of High Density Residential and Recreational. The High Density Residential land use designation provides for residential*

densities between 19 and 24 units per net acre. The Recreation land use designation provides for public and private areas of permanent open space and allows for passive and/or active private and public recreation. The project includes 140 detached condominiums with a net density of 23 unit per net acre. Thus, the project would not exceed the allowable High Density Residential density of 24 dwelling units per acre. In addition, 15.65 acres of the project site, which is designated Recreational would be preserved as open space adjacent to Lake Elsinore. Therefore, the project is consistent with the residential and recreation General Plan land use designations for the site. The proposed subdivision is compatible with the objectives, policies, general land uses and programs specified in the General Plan.

- b. All offsite mitigation measures have been identified in a manner consistent with the General Plan.*
2. The site of the proposed subdivision of land is physically suitable for the proposed density of development in accordance with the General Plan.
 - a. The project site has a density of 23 Dwelling Units per net Acre. The overall density of and design is consistent and compatible with the adjacent communities.*
3. The effects that this project are 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.
 - a. TTM 38116 is consistent with the High Density Residential land use plan, development and design standards, and programs, and all other appropriate requirements contained in the General Plan. The PUD overlay district provides a mechanism to allow for flexibility in the development regulations and design standards of the underlying High Density Residential (R-3) base district. The proposed project is consistent and compatible with the General Plan and provides an increase in housing opportunities within the City. TTM 38116 is consistent with Housing Element Policy 3.1 to "Use the City's General Plan, Municipal Code, other land use and development plans, and the development process to provide housing sites that meet the identified local need."*
4. The proposed division of land or type of improvements is not likely to result in any significant environmental impacts.
 - a. Mitigated Negative Declaration (MND) (ER 2021-02) (SCH NO. 2021110300) was prepared for TTM 38116. The MND identified potentially significant environmental effects but these impacts will be mitigated to below a level of significance through compliance with the mitigation measures set forth in the MND. TTM 38116 has been conditioned to comply with these mitigation measures.*
5. The design of the proposed division of land or type of improvements is not likely to cause serious public health problems.
 - a. TTM 38116 has been designed in a manner consistent with the General Plan and does not divide previously established communities.*
6. The design of the proposed division of land or type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed division of land.

- a. *All known easements or request for access have been incorporated into the design of TTM 38116.*
- b. *The map has been circulated to City departments and outside agencies, and appropriate Conditions of Approval have been applied to the project.*

Section 4: Based upon the evidence presented, both written and testimonial, and the above findings, and the Conditions of Approval imposed upon the project, the Council hereby approves a two-year extension of time for TTM No. 38116 to February 8, 2026.

Section 5: This Resolution shall take effect immediately upon its adoption.

Section 6: 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 26th day of March, 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, do hereby certify that Resolution No. 2024-_____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of March 26, 2024, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk