

**RESOLUTION NO. 2023-\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING FINDINGS THAT PLANNING APPLICATION NO. 2021-38 (TENTATIVE TRACT MAP NO. 38271 AND RESIDENTIAL DESIGN REVIEW NO. 2021-05) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN**

**Whereas**, Brett Crowder, Lake Elsinore Lakeshore, LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2021-38 (Tentative Tract Map No. 2021-02 (TTM 38271) and Residential Design Review No. 2021-05) to subdivide an approximately 10.29-acre site into one lot for condominium purposes and to construct 140 two-story attached condominium residences and associated improvements within the Attached Residential (AR) and Commercial/Residential Flex (CRF) land use designations of the Lakeshore Village Specific Plan. The proposed buildings feature four floor plans ranging in size from 1,807 sq. ft. to 2,008 sq. ft. and three architectural styles (French Country, Santa Barbara and Modern Farmhouse). The project site is located on the southwest side of Lakeshore Drive at the intersection of Lakeshore Drive and Gunnerson Street. (APNs: 379-230-001, 379-230-002); 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 Chapter 16.24 (Subdivisions) and Section 17.415.050.E (Major Design Review) and of the LEMC, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to the review of tentative maps and design review applications,

**Whereas**, on March 7, 2023, 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 by resolution recommended that the Council adopt Findings of Consistency with the MSHCP; and,

**Whereas**, on March 28, 2023, 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 foregoing recitals are true and correct and are hereby incorporated into these findings by this reference.

**Section 2:** The Council has considered the project and its consistency with the MSHCP prior to adopting Findings of Consistency with the MSHCP.

**Section 3:** That in accordance with the MSHCP, the Council makes the following findings for MSHCP consistency:

1. The development proposal is a project under the City's MSHCP Resolution, and the City must make an MSHCP Consistency finding before approval.

*The project site is not located within a MSHCP Criteria Cell. However, the property is within the Elsinore Plan Area and must be reviewed for consistency with the MSHCP "Plan Wide Requirements," including Section 6.1.2 Riparian/Riverine Areas and Vernal Pool Guidelines.*

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 site is not located within a Criteria Cell and therefore is not subject to LEAP and JPR procedures.*

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

*According to the General Biological Assessment prepared by Hernandez Environmental Services dated March 2022, no riparian/riverine areas or vernal pools were identified through a site survey. Therefore, the project is consistent with the requirements for the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools in Section 6.1.3 of the MSHCP, and no additional surveys or mitigation are required.*

4. The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines.

*The project site is located outside the Narrow Endemic Plant Species Survey Areas as shown on Figure 6-1 of the MSHCP. Therefore, the project is consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP and no additional surveys or mitigation are required.*

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

*The project site is not located within the Western Riverside County MSHCP Additional survey areas for amphibians, mammals, burrowing owl, or any special linkage areas. In addition, the project site is not located within the Western Riverside County MSHCP Criteria Area Plant Species Survey Area (CAPSSA) pursuant to Section 6.3.2 of the Western Riverside County MSHCP.*

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

*The project site is not located within or adjacent to a Western Riverside County MSHCP Conservation Area; therefore, the project site is not required to address Section 6.1.4 of the Western Riverside County MSHCP.*

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 MSHCP Section 6.3.1. Therefore, the project is consistent with the Vegetation Mapping requirements.*

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

*As stated above, the project site is completely surrounded by developed area. Therefore, the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP are not applicable to the project.*

9. The project will be conditioned to pay the City's MSHCP Local Development Mitigation Fee.

*A condition of approval has been added requiring payment of the City's MSHCP Local Development Mitigation Fee at the time of building permit issuance for the project.*

10. The project is consistent with the MSHCP.

*The project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas, and, as described above, the project complies is consistent with the MSHCP.*

**Section 4:** Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby finds that the project is consistent with the MSHCP.

**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 28<sup>th</sup> day of March, 2023.

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Natasha Johnson  
Mayor

**Attest:**

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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. 2023-\_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of March 28, 2023, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Candice Alvarez, MMC  
City Clerk