

RESOLUTION NO. 2023-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2023-02 AMENDING THE LANDUSE DESIGNATION FROM LOW-MEDIUM DENSITY RESIDENTIAL (LMR) TO MEDIUM DENSITY RESIDENTIAL (MDR) FOR APNS 363-240-006, 010, 012, 014, 015, 022, 024, 025, 029, 031, 033, 039, 363-241-025, 050, 057, 064, 363-250-001 THROUGH 012

Whereas, the City of Lake Elsinore adopted its General Plan on December 13, 2011;

Whereas, pursuant to Section 17.415.020.B of the Lake Elsinore Municipal Code (LEMC) and Government Code Section 65358, a General Plan Amendment may be initiated by the City to clarify text, address changes mandated by State law, maintain internal General Plan consistency, address boundary adjustments affecting land use designation(s), or for any other reason beneficial to the City;

Whereas, General Plan Amendment (GPA) No. 2023-02 proposes to amend the existing General Plan Land Use Designation of Low-Medium Density Residential (LMR) (1-6 dwelling units per acre) to Medium Density Residential (MDR) (7-18 dwelling units per acre) for the approximately 33.23 acre site. The project site is located northerly of Malaga Road and easterly of Interstate 15 (I-15), adjacent to and east of Grape Street within the Lake Elsinore Hills District. The project site encompasses Assessor Parcel Numbers (APNs) 363-240-006, 010, 012, 014, 015, 022, 024, 025, 029, 031, 033, 039, 363-241-025, 050, 057, 064, and 363-250-001 through 012;

Whereas, pursuant to Section 17.415.020.B of the LEMC and Government Code Section 65358, no mandatory element of the General Plan may be amended more frequently than four (4) times during any calendar year;

Whereas, GPA No. 2023-02 is part of the City's First (1st) Cycle amendments to the Lake Elsinore General Plan Land Use Map and Circulation Element Map for the 2023 calendar year;

Whereas, Resolution No. 2004-11 of the City of Lake Elsinore, which establishes procedures and requirements for implementation of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), specifically exempts the adoption or amendment of any land use or zoning ordinance in Section IV – Exemptions;

Whereas, pursuant to LEMC Section 17.415.020 (General Plan Amendments), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to general plan amendments;

Whereas, on September 5, 2023, 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, and adopted a resolution recommending that the Council approve GPA No. 2023-02; and

Whereas, on September 26, 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, CALIFORNIA, DOES HEREBY RESOLVE, DETERMINE 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 reviewed and analyzed proposed GPA No. 2023-02 pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan (GP) and the Lake Elsinore Municipal Code (LEMC) and finds that the proposed GPA No. 2023-02 is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

Section 3: That in accordance with California Planning and Zoning Law, and the LEMC, the Council makes the following findings for the approval of GPA No. 2023-02:

1. The proposed amendment is consistent with the goals and objectives of the General Plan and the purpose of the Planning District in which the site is located.

The proposed technical amendment would correct a mapping error that was made during the adoption of the General Plan in 2011. The correction would revert the General Plan Land Use Designation from Low-Medium Density Residential (LMR) to Medium Density Residential (MDR) for both the Lake Elsinore City Center Townhomes Phase II Project site and the Lakeview Villas Project site.

- a. *Community Form-Land Use Element. The proposed amendment is consistent with all applicable goals and policies contained within the Land Use Element. Specifically, the amendment is consistent with Goal 1 which requires the creation of a diverse and integrated balance of residential, commercial, industrial, recreational, public and open space land uses. The amendment is also consistent with Policies 1.1 and 1.2 which encourage cluster development and the preservation of unique natural features such as steep slopes and open space.*
- b. *Lake Elsinore Hills District. The main focus of Lake Elsinore Hills District Plan is create a network of balanced communities, which preserve and promote a high quality of life. The amendment will enhance and maintain a network of residential communities that incorporates and protects the natural landscape. The amendment is consistent with Policy LEH 1.2 as it encourages the clustering of development in order to preserve significant hillsides.*

2. The proposed general plan amendment will not be a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.

The proposed technical amendment would correct a mapping error that was made during the adoption of the General Plan in 2011. The correction would revert the General Plan Land Use Designation from Low-Medium Density Residential (LMR) to Medium Density Residential (MDR) for both the Lake Elsinore City Center Townhomes Phase II Project site and the Lakeview Villas Project site. This change will accurately reflect the correct Land Use

Designation and will not result detrimental effects to the health, safety and welfare of surrounding residents.

3. The proposed general plan amendment will permit reasonable development of the area consistent with constraints and will make the areas affected more compatible with adjacent properties.

The technical amendment to the General Plan reverts the General Plan Land Use Designation from Low-Medium Density Residential (LMR) to Medium Density Residential (MDR). The Medium Density Residential (MDR) was in effect at the time of the approval of the Lake Elsinore City Center Townhomes Phase II Project and the Lakeview Villas Project. The proposed technical amendment to the General Plan would restore the intensity of development consistent with the previous approvals, would be reflective of existing conditions, and would be compatible with the adjacent properties.

4. The proposed general plan amendment would establish land use densities, intensities and usage more in character with the subject properties' location, access, and constraints.

The proposed general plan amendment recognizes residential land use densities that are compatible with surrounding development and recognizes the existing land uses on the Lake Elsinore City Center Townhomes site. The proposed technical amendment to the General Plan would restore the intensity of development consistent with the previous approvals, would be reflective of existing conditions, and would be compatible with the adjacent properties.

5. The proposed general plan amendment will not have a significant effect on the environment.

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15162, the Project would not have a significant effect on the environment and no new environmental documentation is necessary because all potentially significant effects have been adequately analyzed in a previously certified Environmental Impact Report (EIR) (State Clearing House No. 2005121019) prepared for the 2011 General Plan Update. Pursuant to CEQA Guidelines 15164, an addendum to EIR SCH No. 2005121019 has been prepared for the Project. All potentially significant effects have been avoided or mitigated in accordance with the EIR SCH No. 2005121019 and none of the conditions described in Section 15162 have occurred.

Section 4: Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby approves GPA No. 2023-02.

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 September, 2023.

Natasha Johnson, 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. 2023-____ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of September 26, 2023, and that the same was adopted by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Candice Alvarez, MMC
City Clerk