



REPORT TO CITY COUNCIL

To: Honorable Mayor and Members of the City Council

From: Jason Simpson, City Manager

Prepared by: Damaris Abraham, Assistant Community Development Director

Date: September 26, 2023

Subject: General Plan Amendment No. 2023-02 to Amend the Existing General Plan Land Use Designation from Low-medium Density Residential (LMR) to Medium Density Residential (MDR) and Zone Change No. 2023-02 to Change the Zoning Designation from Single-family Residential (R-1) to Medium Density Residential (R-2) for an approximately 33.23-acre Site Located in the Lake Elsinore Hills District

Applicant: City of Lake Elsinore

Recommendation

1. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING AN ADDENDUM TO THE 2011 GENERAL PLAN UPDATE ENVIRONMENTAL IMPACT REPORT (STATE CLEARING HOUSE NO. 2005121019) FOR GENERAL PLAN AMENDMENT NO. 2023-02 AND ZONE CHANGE NO. 2023-02;
2. Adopt A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING GENERAL PLAN AMENDMENT NO. 2023-02 AMENDING THE LAND USE 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; and
3. Introduce by title only and waive further reading of AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING ZONE CHANGE NO. 2023-02 CHANGING THE ZONING DESIGNATION FROM SINGLE-FAMILY RESIDENTIAL (R-1) TO MEDIUM DENSITY RESIDENTIAL (R-2) 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.

Planning Commission Action

On September 5, 2023, the Planning Commission conducted a duly noticed public hearing and recommended approval of the project to the City Council with a 3-0 vote. No one spoke in opposition to the project.

Project Location

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.

Project Description

General Plan Amendment 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.

Zone Change No. 2023-02 proposes to change the existing zoning designation from Single-Family Residential (R-1) to Medium Density Residential (R-2) for the approximately 33.23 acre site.

Environmental Setting

	EXISTING LAND USE	EXISTING GENERAL PLAN	EXISTING ZONING
Project Site	Vacant & Townhomes	Low-Medium Density Residential (LMR)	Single-Family Residential (R-1)
North	Vacant	Open Space (OS)	Open Space (OS)
South	Church & Vacant land	Low-Medium Density Residential (LMR)	Single-Family Residential (R-1)
East	Residential	Open Space (OS)	Open Space (OS)
West	Townhomes	Elsinore City Center Specific Plan (CCSP)	Multi-Family Residential, CCSP

Table 1: Environmental Setting

Background

On March 9, 2004, the City Council approved General Plan Amendment (GPA) No. 2003-03, Zone Change (ZC) No. 2003-02, Tentative Tract Map (TTM) No. 31532, Residential Design Review (RDR) No. 2003-15, and Mitigated Negative Declaration (MND) No. 2004-01 for the construction of 60 attached condominium units on an approximately 5.33 acre site located at APNs: 363-240-029, 031, 033, and 039, 363-241-025, 050, 057, and 064 ("the Lake Elsinore City Center Townhomes Phase II Project").

- GPA No. 2003-03 changed the site's Land Use Designation from Very Low Density Residential (0.5 dwelling units per acre) to Medium Density Residential (12 dwelling units per acre).
- ZC No. 2003-02 changed the site's Zoning Designation from Single-Family Residential (R-1) to Medium Density Residential (R-2).
- Tract Map No. 31532 (for condominium purposes) was finalized and recorded on December 8, 2005. Construction of the condominium units was completed in 2006.

On March 8, 2005, the City Council approved GPA No. 2004-06, ZC No. 2004-07, TTM No. 32127, RDR No. 2004-05, and MND No. 2004-10 for the construction of 155 condominium units on an approximately 27.9 acre site located at 363-240-006, 010, 012, 014, 015, 022, 024, 025, and 363-250-001 through 012 ("the Lakeview Villas Project").

- GPA No. 2004-06 changed the site's Land Use Designation from Very Low Density Residential (0.5 dwelling units per acre) to Medium Density Residential (12 dwelling units per acre).
- ZC No. 2004-07 changed the site's Zoning Designation from Single-Family Residential (R-1) to Medium Density Residential (R-2).
- Between 2008 and 2020, TTM 32127 received automatic legislative extension totaling 8.5 years and City discretionary approvals totaling six (6) years. Tentative Tract Map No. 32127 expired on September 8, 2022.

On December 13, 2011, the City Council approved a comprehensive update to the City's General Plan. As part of this update, the General Plan Land Use Designation for both the Lake Elsinore City Center Townhomes Phase II Project and the Lakeview Villas Project site changed from Medium Density Residential (MDR) to Low-Medium Density Residential (LMR).

On August 25, 2015, the City Council approved Consistency Zoning Phase VI, which included the Lake Elsinore Hills District. As part of this phase, the zoning designation for the Lakeview Villas Project site changed from Medium Density Residential (R-2) to Single-Family Residential (R-1).

Discussion

General Amendment No. 2023-02

The proposed General Plan Amendment (GPA No. 2023-02) is being requested to correct the General Plan Land Use Designation for the subject site from the current Land Use Designation of Low-Medium Density Residential (LMR) to Medium Density Residential (MDR).

According to Section 17.415.020.B of the Lake Elsinore Municipal Code (LEMC), a General Plan amendment may be initiated 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.

As part of the 2011 General Plan Update, the General Plan Land Use Plan Map (Figure 2.1A) was changed to show the Land Use Designation of Low-Medium Density Residential (LMR) for both the Lake Elsinore City Center Townhomes Phase II Project site and the Lakeview Villas Project site. However, this map change did not accurately reflect the existing conditions at that time for the two project sites:

- The Lake Elsinore City Center Townhomes Phase II Project had a Land Use Designation of Medium Density Residential (MDR), was zoned Medium Density Residential (R-2), and was fully developed with 60 attached condominium units.
- The Lakeview Villas Project had a Land Use Designation of Medium Density Residential (MDR), was zoned Medium Density Residential (R-2), and was entitled for the development of 155 condominium units.

The proposed amendment involves a mapping error correction, which is a change technical in nature that does not change any policy direction or intent of the General Plan. Specifically:

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 that 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 to 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.

Zone Change No. 2023-02

The proposed Zone Change (ZC No. 2023-02) is being requested to change the zoning designation from Single-Family Residential (R-1) to Medium Density Residential (R-2) which make the zoning designation for the proposed site consistent with the proposed Land Use Designation of Medium Density Residential (MDR).

According to Section 17.415.040.B of the LEMC, an amendment may be initiated to clarify text, address changes mandated by State law, maintain General Plan consistency, address boundary adjustments affecting land use designation(s), or for any reason beneficial to the City. Section 17.415.040.F. of the LEMC requires the following findings to be made for the amendment:

1. *The proposed 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 zone changes or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.*

The proposed zone change would change the current zoning designation from Single-Family Residential (R-1) to Medium Density Residential (R-2). The proposed zone change would create consistency with the General Plan Land Use Designation of Medium Density Residential (MDR). The proposed change would restore the intensity of development consistent with the previous approvals, would be reflective of existing conditions, would be consistent with existing development, and would be compatible with the adjacent properties. The proposed zone change would not be detrimental the health, safety and welfare of surrounding residents as it restores the previous zoning and is compatible with the surrounding development.

2. *The proposed amendment will be consistent with the latest General Plan.*

The proposed zone change would change the project site's current zoning designation from Single-Family Residential (R-1) to Medium Density Residential (R-2). The R-2 zoning designation is consistent with proposed General Plan Land Use designation of Medium Density Residential (MDR).

Environmental Determination

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 and is included as Attachment 4 to this report. 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.

Public Notice

Notice of the hearing for this application has been published in the Press-Enterprise newspaper and mailed to property owners within 1,000 feet of the subject property. As of the writing of this report, no written comments concerning this application have been received by staff.

Attachments

Attachment 1 – CEQA Resolution
Attachment 2 – GPA Resolution
Attachment 3 – ZC Ordinance
Attachment 4 – General Plan EIR Addendum

Attachment 5 – Existing & Proposed LU Designation
Attachment 6 – Existing & Proposed Zoning
Attachment 7 – Vicinity Map
Attachment 8 – Aerial Map
Attachment 9 – Public Notice Materials

