

CITY OF WILDOMAR – CITY COUNCIL
Agenda Item #2.1
PUBLIC HEARING
Meeting Date: September 23, 2015

TO: Mayor and City Council Members
FROM: Matthew C. Bassi, Planning Director
SUBJECT: Elm Street Residential Project (Planning Application No. 08-0154) -
Continued from September 9, 2015

STAFF REPORT

RECOMMENDATION:

The Planning Commission recommends that the City Council:

1. Adopt a Resolution entitled:

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, ADOPTING A MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING & REPORTING PROGRAM IN ACCORDANCE
WITH SECTION 15074 OF THE CEQA GUIDELINES FOR CHANGE OF
ZONE NO. 08-0154 AND TENTATIVE TRACT MAP NO. 33840 (PLANNING
APPLICATION NO. 08-0154) FOR A 4.16 ACRE PROJECT SITE LOCATED
AT THE TERMINUS OF ELM STREET BETWEEN GRUWELL STREET AND
CENTRAL STREET (APN: 376-043-027)

2. Introduce and approve first reading of an Ordinance entitled:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WILDOMAR,
CALIFORNIA, APPROVING A CHANGE OF ZONE (PLANNING
APPLICATION NO. 08-0154) FROM R-R (RURAL RESIDENTIAL) TO R-1
(ONE-FAMILY DWELLING) FOR A 4.16-ACRE SITE LOCATED AT THE
TERMINUS OF ELM STREET BETWEEN GRUWELL STREET AND
CENTRAL STREET (APN: 376-043-027)

3. Adopt a Resolution entitled:

RESOLUTION NO. 2015 - _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
WILDOMAR, CALIFORNIA, APPROVING TENTATIVE TRACT MAP

NO. 33840 (PLANNING APPLICATION NO. 08-0154) FOR THE
SUBDIVISION OF APPROXIMATELY 4.16 ACRES INTO 15
PARCELS, SUBJECT TO CONDITIONS, LOCATED AT THE
TERMINUS OF ELM STREET BETWEEN GRUWELL STREET AND
CENTRAL STREET (APN: 376-043-027)

BACKGROUND:

The proposed IS/MND, Change of Zone and Tentative Tract Map was on the September 9, 2015 Council meeting agenda. Due to a technical glitch, the IS/MND (Attachment A, Ex. 1) was inadvertently left out of the final agenda packet. Therefore, the Council continued the agenda item to September 23, 2016 meeting.

Staff did receive a email comment on September 10, 2015 from Marcel Racine outlining three comments summarized as follows:

- 1) Ms. Racine welcomes the development and the funds that will be drawn in from it.
- 2) Ms. Racine communicated with Code Enforcement regarding the property owner's lack of abatement on the entire property.
 - a. Response - Staff contacted the Applicant and he will weed abate the site within the next couple of weeks.
- 3) Ms. Racine lives across the channel from the subject property and has serious concerns about the fire danger that the property is for my property.
 - a. Response – The Fire Department has thoroughly reviewed the proposed project and appropriately conditioned the project to comply with all fire safety requirements. Further, with the weed abatement that will be done, the site should not be a fire hazard.

Note: All staff report information following this background section is the same as the original September 9, 2015 staff report. Only the dates have changed in the resolutions to reflect the new meeting date.

DISCUSSION:

The applicant, Zareh Hookasian, is proposing a Change of Zone and a Tentative Tract Map for the development of 15 single-family residential dwelling units. The Elm Street Residential project, as it has been named, consists of the following actions/applications:

- Adoption of an MND and an MMRP
- Approval of a Change of Zone
- Approval of a 15-lot Tentative Tract Map (TTM 33840)

A more detailed description of each application is provided in the following sections.

Planning Commission Review:

The Planning Commission reviewed the proposed Elm Street Residential Project at a noticed public hearing held on August 19, 2015. After the Applicant made their presentation, there were five public comment/speakers who addressed the Commission expressing various comments about the propose project. Comments ranged from density, access and lot size concerns, to loss of rural lands.

Upon conclusion of the public hearing and Planning Commission discussion, the Commission voted (5-0) to adopt PC Resolution No. 2015-15, 2015-16 & 2015-17 recommending City Council adoption of a Mitigated Negative Declaration / Mitigation Monitoring and Reporting Program, approval of the Change of Zone from R-R to R-1, and approval of Tentative Tract Map No. 33840. No changes to the project or proposed conditions were recommended by the Planning Commission.

Project Location/Vicinity

The project site encompasses approximately 4.16 acres and is located at the end of Elm Street between Central Street to the northeast and Gruwell Street to the southwest, with the Murrieta Creek Channel drainage course to the northeast. The Assessor's Parcel Number (APN) for the project site is 376-043-027. The project site is relatively flat; a cement-lined canal carrying Murrieta Creek is located near the northeastern boundary of the site. The aerial photo on the following page shows the project site and surrounding area (see Figure 1 & 2).

Figure 1 – Vicinity/Project Location Map



Figure 2 – Enlarged Vicinity/Project Location Map



Surrounding Land Uses

The project site is surrounded by low- and medium-density residential uses and/or open space immediately to the west, east, and south and by Murrieta Creek Channel and residential uses to the north. Table 1 lists the current land uses, General Plan designations, and zoning for the site and abutting properties. Staff has also provided two exhibits (on the following pages – see Figure 3 & 4) showing the General Plan land use designations and zoning.

Table 1 – Adjacent Land Use, General Plan, and Zoning

ADJACENT LAND USE, GENERAL PLAN AND ZONING			
Location	Current Land Use	General Plan Land Use Designation	Zoning
Subject Property	Vacant	MDR (Medium Density Residential)	R-R (Rural Residential)
North	Murrieta Creek Canal; Single-Family Residential; Open Space	MDR (Medium Density Residential); LDR (Low Density Residential)	R-1 (One-Family Dwelling)
South	Single-Family Residential	MDR (Medium Density Residential)	R-R (Rural Residential)
East	Single-Family Residential	MDR (Medium Density Residential)	R-R (Rural Residential)
West	Single-Family Residential; Open Space	MDR (Medium Density Residential); LDR (Low Density Residential)	R-R (Rural Residential)

Environmental/CEQA

In accordance with the California Environmental Quality Act (CEQA) Guidelines, the proposed project required the preparation and processing of an Initial Study/Mitigated Negative Declaration (IS/MND) and a Mitigation Monitoring and Reporting Program (MMRP). The MND and MMRP must be reviewed by the Planning Commission as part of its recommendation to the City Council. A detailed analysis of the MND process, etc., is provided in the Environmental Analysis section of this report. Copies of the IS/MND and the MMRP (with technical studies/appendices) are provided for Commission consideration (Attachment A, Exhibits 1–3).

Change of Zone No. 08-0154

The applicant is requesting approval of a Change of Zone from R-R (Rural Residential) to R-1 (One-Family Dwelling) to accommodate the proposed single family residential development. The site has a current General Plan land use designation of Medium Density Residential (MDR), which provides for a density range of 2 to 5 units per acre for detached single-family residences.

Further analysis of the Change of Zone is provided in the Project Analysis section of this report. On the following pages are figures showing the current General Plan land use designation and zoning (see Figure 3 and Figure 4) along with the proposed zoning (see Figure 5).

Figure 3 – Existing General Plan Land Use Designation

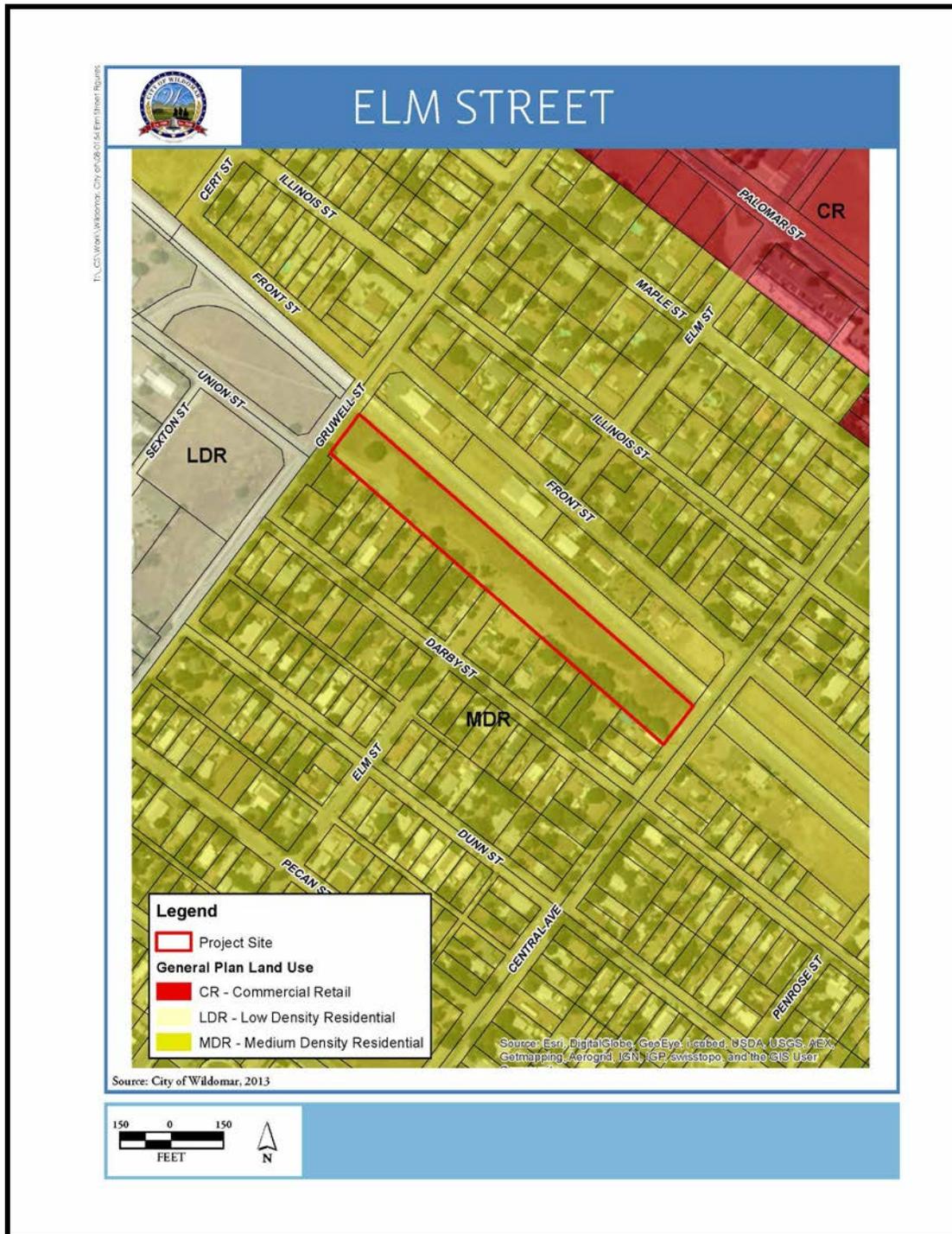


Figure 4 – Existing Zoning Designation

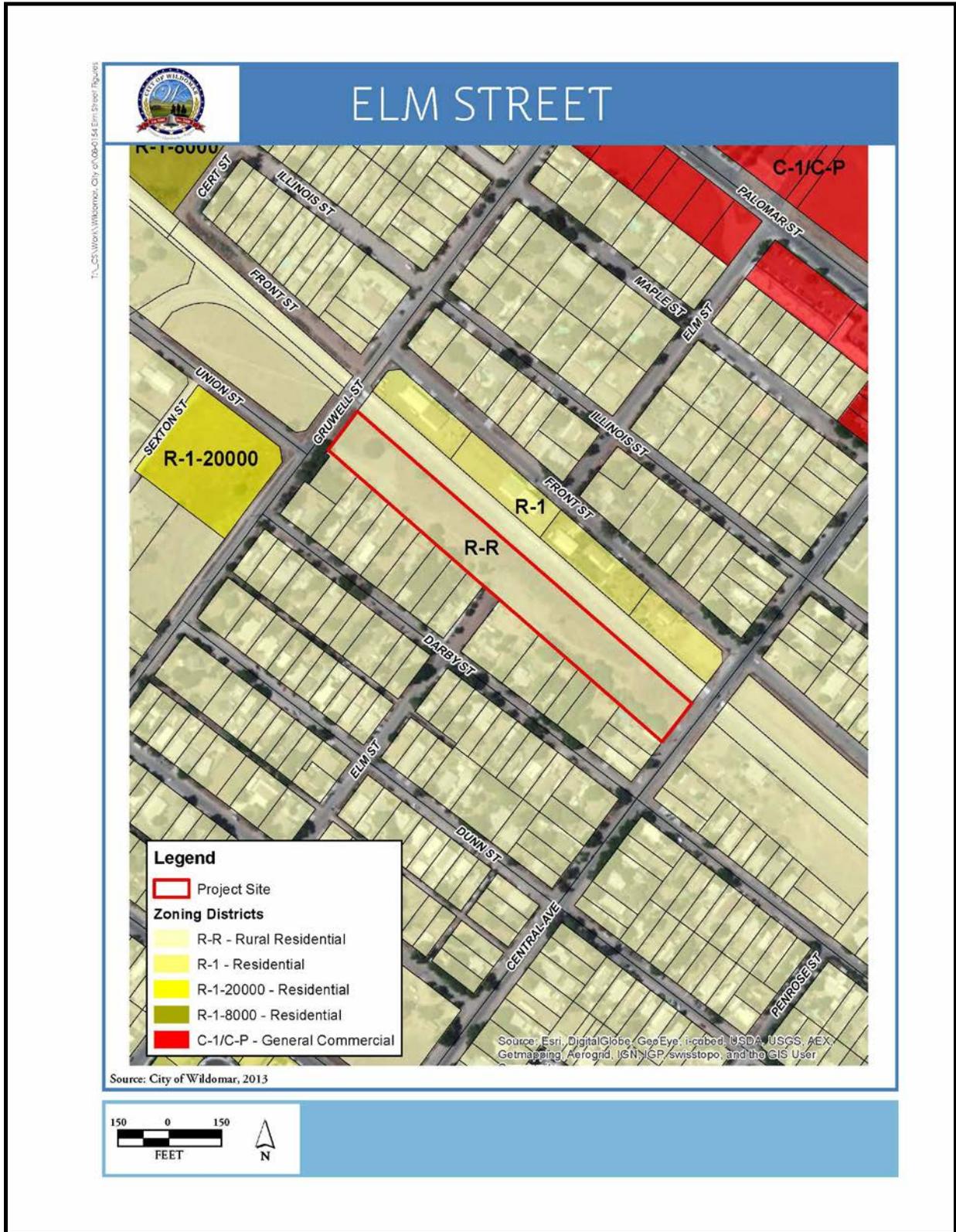
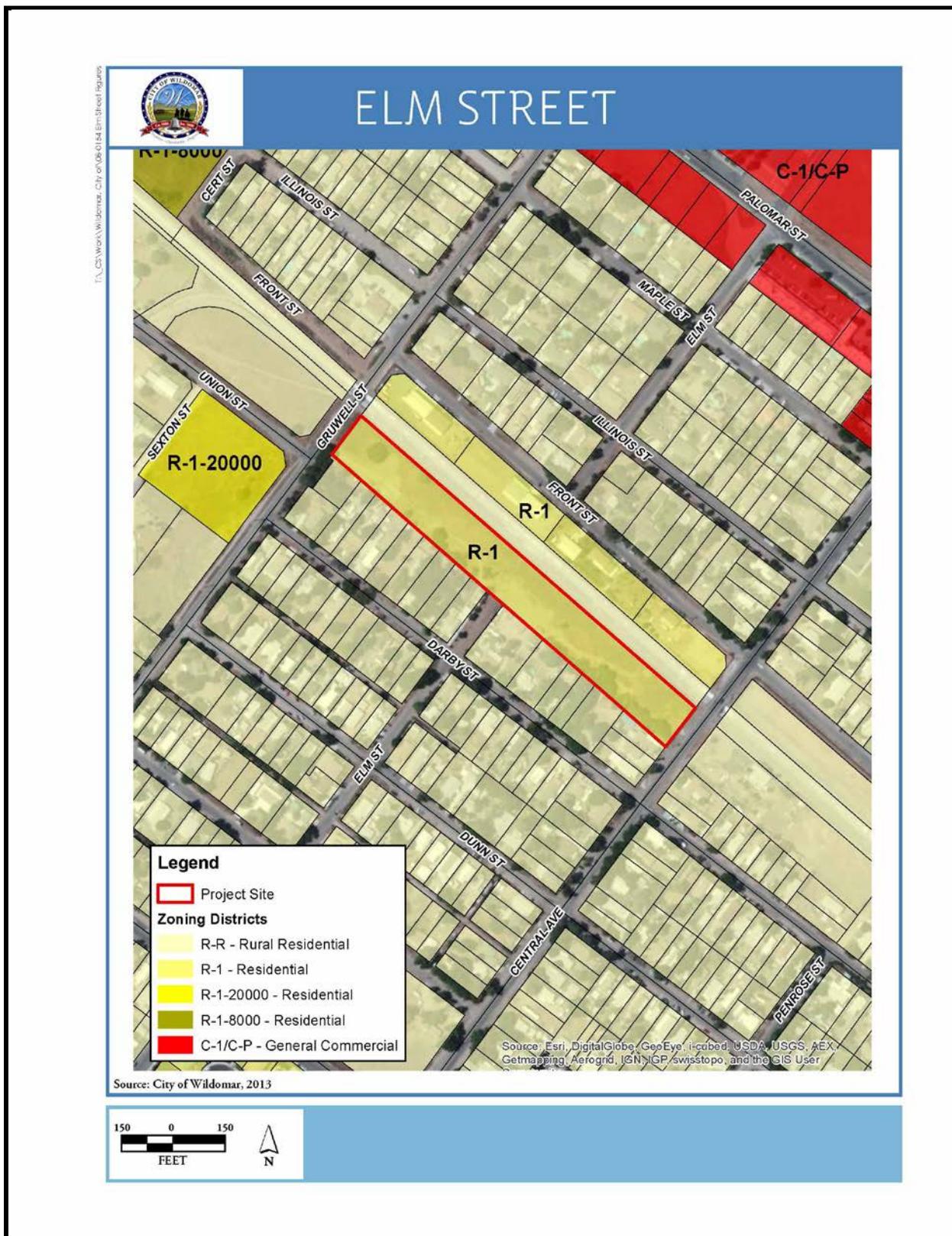


Figure 5 – Proposed Zoning Designation



Tentative Tract Map No. 33840

The applicant is proposing a Tentative Tract Map (TTM No. 33840) to subdivide the 4.16-acre site into 15 lots to accommodate the development of 15 single-family residential dwelling units. The proposed lot sizes range in size from 8,142 square feet (smallest size) to 12,007 square feet (largest size) which results in an average lot size of 8,458 square feet. The proposed lot sizes are consistent with the minimum lot size set forth in the R-1 zone standards. A full size copy of the proposed tract map is provided in Attachment D. A reduced exhibit of the tract map is shown below as Figure 6. Table 1-1 shows the proposed gross lot sizes for each parcel.

**Table 1-1
Proposed Lot Acreage**

Lot Number	Gross Lot Sizes (square feet)
1	9,021
2	8,142
3	8,142
4	8,142
5	8,142
6	8,142
7	8,142
8	8,142
9	8,142
10	8,142
11	8,142
12	8,142
13	8,142
14	8,142
15	12,007

Source: RDS and Associates 2013d (TM 33840)

Specifics of the proposed tract map are described below.

Roadway Access

Direct access to each of the lots created by the proposed project will be via a proposed one-way street (shown as A Street on the tract map) that will be accessed via Central Street to the northeast and Gruwell Street to the southwest. The traffic will flow from Central Street through A Street and onto Gruwell Street.

Water

The proposed project will receive potable water service from the Elsinore Valley Municipal Water District (EVMWD). Connections to the EVMWD water supply will occur at existing water lines in Central Street.

Wastewater

The proposed project will receive wastewater service from the Elsinore Valley Municipal Water District. Connection to the EVMWD wastewater system will occur at an existing 8-inch sewer line in Central Street.

Stormwater

Stormwater currently flows on the surface from the northeast border of the project site at Gruwell Street to the southwest to Central Street. Central Street drains directly into the Murrieta Creek Channel. Stormwater from the proposed project will be directed to flow southwesterly along the proposed A Street to the vegetated swale in Lot 15 adjacent to Central Street. Flows within A Street will be directed to a low point fronting Lot 15. Flows from the low point in Street A will be conveyed through a vegetated swale in Lot 15. The filtered flows from the vegetated swale will then drain to the Murrieta Creek Channel.

Other Utilities and Services

Electric, gas, cable, and telecommunications services would be extended underground onto the site from existing lines along Central Street. Electricity would be provided by Southern California Edison, natural gas service by the Southern California Gas Company, telecommunications by Verizon, and solid waste removal by Waste Management. The site is located within the boundaries of the Lake Elsinore Unified School District. Local government services are provided by the City of Wildomar. Fire and law enforcement services are provided by the City of Wildomar through contracts with the Riverside County Fire Department and the Riverside County Sheriff's Department.

A detailed analysis of the tract map is provided in the Project Analysis section of this report.

ANALYSIS:

Environmental/CEQA Analysis

In accordance with the California Environmental Quality Act (CEQA; Public Resources Code Sections 21000–21178.1), an Initial Study is required to analyze the proposed Change of Zone and Tentative Tract Map to determine whether any potential significant impacts on the environment that would result from implementation of the project. The Initial Study is intended to inform the Planning Commission, responsible agencies, and the general public of potential environmental impacts associated with the proposed project and is key to determining whether a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report is required.

IS/MND #1:

An Initial Study was first prepared and circulated from July 9, 2014, through August 7, 2014 (SC#: 2014071028). In the original circulated Initial Study, the applicant proposed a tentative tract map (TTM No. 33840) to subdivide a 4.16 acre site into 12 parcels, ranging in size from 9,292 square-feet to 13,409 square-feet. Three (3) comment letters were received during the 30-day review/comment period. These comments have been addressed and are incorporated into the current IS/MND document (dated March 2015) and responses to these comments are included Attachment A, Exhibit 3.

IS/MND #2:

A 2nd Initial Study/MND was prepared due to 1st review comments and changes to the proposed project by the Applicant. The updated IS/MND evaluated the environmental impacts resulting from the development of the proposed Tentative Tract Map (TTM No. 33840) to subdivide 4.16 acres into 15 parcels (instead of the original 12 parcels). The proposed Change of Zone from the existing zoning of R-R (Rural Residential) to the R-1 (One-Family Dwelling) remained the same.

The only substantive change to the original mitigation measures was the elimination of one mitigation measure (formerly TRA-1) relating to the maintenance and design of the Ben and Fanny Taylor Regional Trail (HT-W-13). As this trail segment is actually located within the Murrieta Creek channel, it is not a project specific impact, and therefore, does need a mitigation measure.

The recirculated IS/MND was released for the 30-day public and agency review on March 25, 2015 and concluded on April 23, 2015. The City received six (6) comments during the 2nd review period. Each comment has been responded to, including the comments received during the 1st review period (Attachment A, Exhibit 3). The required findings supporting adoption of the IS/MND are discussed in the findings section below. The IS/MND, supporting technical studies/appendices and Mitigation Monitoring and Reporting Program (MMRP) is attached for Commission consideration (Attachment A, Exhibits 1–3).

Based on the findings below, the Planning Commission recommends City Council adoption of the Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the proposed project.

CEQA/IS/MND Findings of Fact:

The Planning Commission is recommending that the City Council, in light of the whole record before it, including but not limited to the staff report, proposed Initial Study/Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program (attached hereto as Attachment A, Exhibits 1–3), documents incorporated herein by reference, written comments received and responses provided, and other substantial evidence (within the meaning of Public Resources Code Sections 21080(e) and 21082.2) within the record and/or provided at the public hearing, recommend that the City Council find and determine as follows:

- A. Review Period: That the City has provided the public review period for the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program for the required 30-day public review period required by CEQA Guidelines Sections 15073 and 15105.
- B. Compliance with Law: That the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program were prepared, processed, and noticed in accordance with the California Environmental Quality Act (Public Resources Code Section 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Section 15000 et seq.).
- C. Independent Judgment: That the Initial Study/Mitigated Negative Declaration and the Mitigation Monitoring and Reporting Program reflect the independent judgment and analysis of the City.
- D. Mitigation Monitoring and Reporting Program: That the Mitigation Monitoring and Reporting Program is designed to ensure compliance during project implementation in that changes to the project and/or mitigation measures have been incorporated into the project and are fully enforceable through permit conditions, agreements, or other measures as required by Public Resources Code Section 21081.6.
- E. No Significant Effect: That revisions made to the project as agreed to by the applicant, and mitigation measures imposed as conditions of approval on the project, avoid or mitigate any potential significant effects on the environment identified in the Initial Study to a point below the threshold of significance. Furthermore, after taking into consideration the revisions to the project and the mitigation measures imposed, the City Council finds that there is no substantial evidence, in light of the whole record, from which it could be fairly argued that the project may have a significant effect on the environment. Therefore, the City Council concludes that the project will not have a significant effect on the environment with the proposed mitigation measures and the Mitigation Monitoring and Reporting Program.

Change of Zone No. 08-0154:

Staff has evaluated the proposed Change of Zone from the current zoning of R-R (Rural Residential) to R-1 (One-Family Dwelling) to determine consistency with the General Plan. The site has a General Plan land use designation of Medium Density Residential (MDR), which allows between two and five detached single-family residences per acre on lots ranging from 5,500 to 20,000 square feet in size. The R-1 zone allows single-family dwellings on lot areas not less than 7,200 square feet. The adjacent parcels on Darby Street also have a land use designation of Medium Density Residential (MDR) with the R-R zoning designation.

In reviewing the applicant's Change of Zone request and development proposal, the project density is proposed at 3.6 units per acre with lot sizes ranging from 8,142 to 12,007 square feet, which falls within the permitted density range and lot sizes and thus is consistent with the General Plan. It should be noted that surrounding zone districts are primarily R-R (with the MDR land use designation) to the south, east, and west. These minimum lot sizes are larger (minimum of 1/2 acre) in comparison to R-1 zone district. In this case, the surrounding R-R parcels are on lots that range from less than 1/2 acre to over 1 acre. The parcels in the project site are less than 1/2 acre and will be developed in accordance with Chapter 17.24 of the Wildomar Municipal Code (R-1 standards).

While the General Plan Land Use designation of MDR is applicable to the project site and surrounding neighborhood, the proposed project and surrounding areas range in density from 2–5 units per acre. Therefore, the density of the proposed project is similar to that of the surrounding residential land uses. As such, the project is compatible with the surrounding uses

Change of Zone Finding of Fact:

In accordance with California Government Code Sections 65853–65857 and Wildomar Zoning Ordinance Section 17.280, the Planning Commission recommends the City Council, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference herein, the City's General Plan and any other evidence within the record or provided at the public hearing of this matter, find and determine as follows:

- A. Finding: The proposed Change of Zone is in conformance with the adopted General Plan for the City of Wildomar.

Evidence: Staff has evaluated the proposed change of zone from the current zoning of R-R (Rural Residential) to R-1 (One-Family Dwelling) to determine consistency with the General Plan. The site has a General Plan land use designation of Medium Density Residential (MDR), which allows between two and five detached single-family residences per acre on lots ranging from 5,500 to 20,000 square feet in size. The R-1 zone allows single-family dwellings on lot areas not less than 7,200 square feet.

In reviewing the applicant's Change of Zone request and development proposal, the project density is proposed at 3.6 units per acre with lot sizes ranging from 8,142 to 12,007 square feet, which falls within the permitted density range and lot sizes and thus is consistent with the General Plan. Table 2 above discusses the City of Wildomar's Municipal Code development standards as outlined in Section 17.24.020 for the R-1 zone and the project's consistency with these regulations. As discussed above, the project is consistent with the City of Wildomar's General Plan and the City's R-1 zoning standards.

Tentative Tract Map No. 33840

The applicant is proposing a Tentative Tract Map (TTM No. 33840) to subdivide 4.16 acres into 15 lots, which will accommodate the future development of 15 single family residential dwelling units. The tract map will be subdivided under the provisions and development standards of the R-1 (One-Family Dwelling) zone. In accordance with Wildomar Municipal Code Section 17.24.020 (Development Standards), the minimum lot area (i.e., lot size) for each dwelling unit is 7,200 square feet.

In review of the proposed tract map, the minimum lot size will be 8,142 square feet, which exceeds the minimum standards. The average lot size for the 15 lot tract map is 8,458 square feet. Staff tabulated the average lot size of the 15 parcels immediately adjacent to the site on the west. The average lot size of these parcels is 12,980 square feet and they range in size from 7,840 square feet to 27,442 square feet.

Table 2 below discusses the City of Wildomar's Municipal Code development standards as outlined in Section 17.24.020 for the R-1 zone and the project's consistency with these regulations.

Table 2: Lot Summary Table

Parcel Number	Minimum Required Lot Area (gross sq. ft.)	Proposed Lot Area (sq. ft.)	Minimum Required Lot Width/Depth (sq. ft.)	Proposed Lot Width / Depth (ft.) (Per TM 36519)	Meets or Exceeds Standards
1	7,200	9,021	Width = 60 feet Depth = 100 feet	Width = 73.60 Depth = 101	YES
2	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
3	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
4	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
5	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
6	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
7	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
8	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
9	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
10	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
11	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
12	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
13	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
14	7,200	8,142	Width = 60 feet Depth = 100 feet	Width = 80.62 Depth = 101	YES
15	7,200	12,007	Width=60 feet Depth=100 feet	Width = 116 Depth = 101	YES

Neighborhood Meetings:

As part of the tract map process, the city hosted two separate neighborhood meetings with residents living in the Elm Street/Darby Street area. These meetings were held on February 24, 2014 (8 residents spoke) and July 21, 2014 (4 residents spoke). The

intent of both neighborhood meetings was to introduce the proposed residential project, receive input from residents and address concerns raised by the residents.

The following list summarizes the main comments raised by the Darby Street/Elm Street residents, and how those concerns have been addressed with project design changes.

- 1) The proposed project is too dense with 15 parcels and residents felt a 7 or 8 lot subdivision under the R-R zone standards was more compatible and appropriate with their neighborhood. Staff offered a compromise at 10 lots with the R-1 zone standards.

Applicant Response/Action:

- The Applicant has chosen to keep the proposed tract map at 15 lots subdivided under the R-1 zone standards (proposed with the change of zone application) as permitted by the existing MDR land use designation (2 to 5 units/acre). This results in a density of 3.6 units per acre which is within the allowable MDR density range. The Applicant felt that with the improvements being conditioned on the project, 15 lots was better suited to their development needs. This number of lots also matches the number of lots adjacent to the project site on the west side and along Darby Street.

- 2) Traffic generated by the project would significantly impact Elm Street and Darby Street. How would this be addressed?

Applicant Response/Action:

- The tract map has been redesigned to provide a one-way through street within the proposed tract map subdivision. Access would come from Central Street and exit onto Gruwell Street (“right-in & right-out” concept). Originally, Elm Street was a proposed access road into the project site. However, this has since changed and Elm Street has been vacated. Instead, access into the project site will be via Gruwell Street and Central Avenue.

- 3) How is emergency access to the site achieved?

Applicant Response/Action:

- The tract map has been redesigned to provide a one-way through street within the proposed tract map subdivision. Emergency access would come from Central Street and exit onto Gruwell Street (“right-in & right-out” concept). No emergency traffic would come through the Elm Street/Darby Street neighborhood.

- 4) Questions about sewer availability for surrounding homes (i.e., Elm/Darby neighborhood) were presented.

Applicant Response/Action:

- EVMWD is requiring a sewer line along the one-way street within the proposed subdivision from Central Avenue (existing sewer line) to serve the project site. No additional sewer lines are being required to serve the Elm Street/Darby Street neighborhood via the proposed project.

- 5) Concern was raised about the location of the western boundary wall and how Darby Street residents will get access to the rear yards.

Applicant Response/Action:

- The proposed project has been modified to include a 10-foot easement area (Lot B) for residents to use to gain access to their rear yards adjacent to the proposed tract. On the eastern edge of the easement, the Applicant will provide a 4-foot landscape buffer to include a 6-foot decorative block wall, landscaping and rolled curbs. This modification is reflected as Cross Section "B-B" on the tract map plans.

- 6) Questions were asked if the Applicant was going to establish a Homeowners Association (HOA)?

Applicant Response/Action:

- Yes the Applicant intends to set up a homeowners association.

- 7) Concerns were raised on how storm run off was being handled and possible impacts on the Darby Street properties.

Applicant Response/Action:

- During site preparation and grading and as future development is proposed, soil erosion may result during construction, as grading and construction can loosen surface soils and make soils susceptible to the effects of wind and water movement across the surface. The City of Wildomar's standard conditions and requirements applied to the proposed project will require compliance with the National Pollutant Discharge Elimination System (NPDES) and the State Water Quality Control Board's construction permit, as well as the submittal of detailed erosion control plans with any grading plans. A draft water quality management plan for the project site is included as Appendix 8 of the recirculated IS/MND (Attachment A; Exhibit 3). Implementation of standard conditions and requirements of the City of Wildomar will also address any erosion issues associated with the future grading of the site.

- 8) Concern was raised by the Darby & Elm Street residents about having two-story homes built on the project site.

Applicant Response/Action:

To address this concern, the Applicant has agreed to build only one-story homes and has agreed to be conditioned as such. Before building permits are issued for this tract development, the Applicant is required to submit a Final Site Plan of Development for Planning Department review and approval.

Tentative Tract Map No. 33840 Findings of Fact:

In accordance with Wildomar Municipal Code Title 16 and Title 17, and Government Code Sections 66473.1, 66473.5, and 66474, the Planning Commission recommends the City Council, in light of the whole record before it, including but not limited to the Planning Department's staff report and all documents incorporated by reference therein, the City's General Plan, Subdivision Ordinance, Zoning Ordinance, standards for public streets and facilities, and any other evidence within the record or provided at the public hearing of this matter, find and determine as follows:

- A. Finding: The proposed tract map is consistent with the City's General Plan and any applicable specific plan as specified in Government Code Section 65451.

Evidence: The applicant is proposing a Tentative Tract Map (TTM No. 33840) to subdivide 4.16 acres into 15 lots, which will accommodate the development of 15 single-family residential dwelling units. Staff has evaluated the proposed Change of Zone from the current zoning of R-R (Rural Residential) to R-1 (One-Family Dwelling) to determine consistency with the General Plan. The site has a General Plan land use designation of Medium Density Residential (MDR), which allows between two and five detached single-family residences per acre on lots ranging from 5,500 to 20,000 square feet in size. The R-1 zone allows single-family dwellings on lot areas not less than 7,200 square feet. In review of the proposed tract map, the project density is proposed at 3.6 units per acre with lot sizes ranging from 8,142 to 12,007 square feet, which falls within the permitted density range and lot sizes and thus is consistent with the General Plan. There is no specific plan governing this project.

In terms of specific land use policies related to this project, the proposed tract map promotes (and is consistent with) the following residential land use policies:

LU 3.1 (Community Design) – “Accommodate land use development in accordance with the patterns and distribution of uses and density depicted on the General Plan Land Use map.”

LU 6.1 (Land Use Compatibility) – “Require land uses to develop in accordance with the General Plan and area plans to ensure compatibility and minimize impacts.”

LU 12.6 (Circulation) – “Require that adequate and accessible circulation facilities exist to meet the demands of a proposed land use.”

LU 22.1 (Community Development) – “Accommodate the development of single and multi family residential units in areas appropriately designated by the General Plan and area plan land use maps.”

LU 22.3 (Community Development) – “Require that adequate and available circulation facilities, water resources and sewer facilities exist to meet the demands of the proposed residential land use.”

- B. Finding: The design or improvement of the proposed subdivision is consistent with the City’s General Plan and any applicable specific plan.

Evidence: The proposed subdivision has been designed to meet all City standards applicable to residential subdivisions, which are designed to provide satisfactory pedestrian and vehicular circulation, including emergency vehicle access and on-and off-site public improvements. Further, all streets, utilities, and drainage facilities have been designed and are required to be constructed in conformance with City standards. There is no specific plan governing this project.

- C. Finding: The site is physically suitable for the type and proposed density of development.

Evidence: The project site encompasses 4.16 acres. The Tentative Tract Map proposes to subdivide the project area into 15 lots for single-family residential development. The density allowed by the MDR designation allows between two and five detached single-family residences per acre on lots ranging from 5,500 to 20,000 square feet in size. The R-1 zone allows single-family dwellings on lot areas not less than 7,200 square feet. In review of the proposed tract map, the project density is proposed at 3.6 units per acre with lot sizes ranging from 8,142 to 12,007 square feet, which falls within the permitted density range and lot sizes and thus is consistent with the General Plan. Therefore, the proposed tract map is physically suitable for the type and proposed density of development.

- D. Finding: The design of the subdivision or proposed improvements is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

Evidence: The City prepared an Initial Study that resulted in the preparation, processing, and review of an Initial Study/Mitigated Negative Declaration for Tentative Tract Map No. 33840. The IS/MND analyzed the environmental issues required by CEQA related to fish and wildlife, including their respective habitats. The IS/MND was circulated for public review and made available for a 30 day public review period in accordance with CEQA. Thus, it has been determined that the design of the subdivision and proposed improvements will not likely cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat with implementation of the proposed mitigation measures as outlined in the IS/MND and the Mitigation Monitoring and Report Program (MMRP). Therefore, the proposed tract map meets this finding.

- E. Finding: The design of the subdivision or type of improvements is not likely to cause serious public health problems.

Evidence: The design of the subdivision is in conformance with the City's General Plan, Zoning Code, and Subdivision Ordinance. The design and construction of all improvements to accommodate the project have been conditioned in accordance with all applicable City of Wildomar ordinances, codes, and standards including but not limited to the California Uniform Building Code, the City's ordinances relating to stormwater runoff management, and adopted public works standards. As the City's ordinances, codes, and standards have been created based on currently accepted standards and practices for the preservation of the public health, safety, and welfare, the proposed tract map meets this finding.

- F. Finding: The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

Evidence: The project contains an abandonment of unknown alleys and reservation of easement for existing utilities, a vacation of an unnamed alley and reserving and excepting an easement for any public utilities, and an easement for a water pipeline to the Elsinore Valley Municipal Water District. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.

FISCAL IMPACT:

The proposed project is conditioned (Engineering Condition No. 42) to annex into the City-wide CFD, so there will be no negative fiscal impact from this project.

PUBLIC NOTICING/COMMUNICATION:

In accordance with Wildomar Municipal Code sections 16.12.140(A) and 17.280.040, the Planning Department on August 26, 2015, mailed a public hearing notice to all property owners within a 600-foot radius of the proposed project boundaries notifying them of the September 9, 2015 City Council meeting. In addition, on August 28, 2015, a legal notice was published in the Press Enterprise, a local newspaper of general circulation, notifying the general public of the September 9, 2015 City Council meeting. Lastly, in accordance with Section 16.12.140(A), a public hearing notice was also provided on August 26, 2015 to the Elsinore Valley Municipal Water District (EVMWD) and the Lake Elsinore Unified School District notifying these two agencies of the September 9, 2015 City Council meeting.

Submitted By:
Matthew C. Bassi
Planning Director

Approved By:
Gary Nordquist
City Manager

ATTACHMENTS

- A. Resolution No. 2015-___ for IS/MND/MMRP
 - Exhibit 1 – Initial Study/Mitigated Negative Declaration
 - Exhibit 1-A Technical Appendices/Studies
 - Exhibit 2 – Mitigation Monitoring and Reporting Program
 - Exhibit 3 – IS/MND “Responses to Comments”
- B. Draft Ordinance No. ___ for Change of Zone No. 08-0154
- C. Resolution No. 2015-___ for Tentative Tract Map No. 33840
 - Exhibit 1 – Conditions of Approval Matrix
- D. Tentative Tract Map No. 33840 Exhibit

INCORPORATED HEREIN BY REFERENCE THE FOLLOWING

- City of Wildomar General Plan and EIR
- City of Wildomar Zoning Ordinance (Title 17 of the WMC)
- City of Wildomar Subdivision Ordinance (Title 16 of the WMC)