

# **ATTACHMENT B**

**PC Resolution No. 2016-29**

**General Plan Amendment No. 15-0129**

**PC RESOLUTION NO. 2016-29**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILDOMAR, CALIFORNIA, RECOMMENDING CITY COUNCIL APPROVAL OF A GENERAL PLAN AMENDMENT (PLANNING APPLICATION NO. 15-0129) TO CHANGE THE EXISTING LAND USE DESIGNATION ON APPROXIMATELY 11.25 ACRES FROM MIXED USE PLANNING AREA (MUPA) TO MEDIUM HIGH DENSITY RESIDENTIAL (MHDR), INCLUDING VACATION OF DEPASQUALE ROAD THROUGH THE PROJECT AREA LOCATED ON THE EAST SIDE OF GEORGE AVENUE ABOUT 660 FEET NORTH OF CLINTON KEITH ROAD (APN:362-250-001 & 362-250-026)**

**WHEREAS**, the Planning Department has received an application for a General Plan Amendment (PA No. 15-0129) to change the general plan land use designation on the project site from:

Project Applicant:	Nova Homes, Inc. (Mr. Tom Mungari, Project Manager)
Project Location:	East side of George Avenue approximately 660 feet north of Clinton Keith Road
APN:	362-250-001 & 362-250-026
Project Area:	11.25± acres

**WHEREAS**, the Planning Commission of the City of Wildomar, California, has the authority to review the proposed General Plan Amendment No. 15-0129 for the Nova Homes Residential project in accordance with the California Government Code, Section 65353 and the City of Wildomar Municipal Code, Title 17, Section 17.08.100; and

**WHEREAS**, in accordance with Government Code Sections 65353, and Chapter 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Department on October 5, 2016 gave public notice by mailing a public hearing notice to all property owners within a 600-foot radius of the project boundaries notifying said property owners of the date and time of the public hearing for General Plan Amendment No. 15-0129 that would be considered by the Planning Commission; and

**WHEREAS**, in accordance with Government Code Sections 65353, and Chapter 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Department on October 7, 2016 published a legal notice in the "Press Enterprise," a local newspaper of general circulation, in compliance with State law notifying the general public of the holding of a public hearing for General Plan Amendment No. 15-0129 that would be considered by the Planning Commission; and

**WHEREAS**, in accordance with Government Code Section 65353 and Chapter 17.08.100 of the Zoning Ordinance, the City of Wildomar Planning Commission

conducted the duly noticed public hearing on October 19, 2016, at which time all interested persons had an opportunity to testify in support of, or opposition to, the proposed General Plan Amendment, and at which time the Planning Commission received public testimony concerning General Plan Amendment No. 15-0129.

**NOW, THEREFORE**, the Planning Commission of the City of Wildomar does hereby resolve, determine and order as follows:

**SECTION 1. CEQA:**

The approval of General Plan Amendment No. 15-0129 is in compliance with requirements of the California Environmental Quality Act (“CEQA”), in that on October 19, 2016, at a duly noticed public hearing, the Planning Commission recommended to the City Council adoption of the Initial Study/Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program reflecting its independent judgment and analysis and documenting the environmental impacts and mitigation measures related to the proposed Nova Homes Residential Development project. The documents comprising the City’s environmental review for the project are on file and available for public review at Wildomar City Hall, 23873 Clinton Keith Rd., Suite 201, Wildomar, CA 92595.

**SECTION 2. MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP).**

The proposed General Plan Amendment No. 15-0129 is found to be consistent with the MSHCP. The project is located outside of any MSHCP criteria area and mitigation is provided through payment of the MSHCP Mitigation Fee.

**SECTION 3. GENERAL PLAN AMENDMENT FINDINGS.**

Pursuant to Government Code Section 65350 – 65362 and Chapter 17.08.040(F)(2) of the Zoning Ordinance, the Planning Commission hereby recommends the City Council make the following findings to approve General Plan Amendment No. 15-0129 as follows:

- A. The proposed change does not involve a change in or conflict with the City of Wildomar Vision, any general planning principles in Appendix B to the General Plan, or any Foundation Component designation in the General Plan.

Evidence: The proposed land use amendment for the Nova Homes Residential development project does not involve a change in or conflict with the City of Wildomar Vision (Chapter 2 of the General Plan), any general planning principles in Appendix B to the General Plan, or any Foundation Component designation in the General Plan in that the proposed land use designation Medium High Density Residential (MHDR) falls within the “Community Development” Foundation Component of the General Plan. Thus, the proposed land use designation change do not conflict with the property’s “Community Development” Foundation Component designation. The proposed deletion of Depasquale Road from the Circulation Element map through the project site also does not conflict with the

property's "Community Development" Foundation Component designation as vehicular and pedestrian access in the general area will remain fully functional via the use of George Avenue and Iodine Springs Road.

Further, the Vision outlined in Chapter 2 of the General Plan states that each element of the General Plan contains a description of how it implements the Vision in the form of specific policies related to each element (page V-2). Thus, consistency with specific General Plan policies demonstrates consistency with the vision. The proposed Nova Homes Residential development project achieves the vision as it is consistent with those land use and housing policies discussed in Finding B below. Finally, the proposed general plan amendment is consistent with the general planning principles set forth in Appendix B to the General Plan, in that Appendix B encourages single family detached dwellings (App. B, Sec. I.G.) and the development of new housing in a manner that encourages a wide range of housing choices (i.e., ownership and/or rentals) within the City (App. B, Sec. I.D.).

- B. The proposed amendment would either contribute to the purposes of the General Plan or, at a minimum, would not be detrimental to them.

Evidence: The proposed general plan amendment will contribute to the purposes of the General Plan and will not be detrimental in that as part of the IS/MND and development review process it was determined that the proposed Medium High Density Residential (MHDR) land use designation resulting in the development of the proposed single family residential development did not require any changes to other Elements of the Wildomar General Plan, other than the proposed elimination of Depasquale Road through the project site which will not impact circulation in the general area. Therefore, the proposed general plan amendment will result in the project being internally consistent.

The proposed land use change furthers the following land use and housing element policies related to the proposed project:

- LU 2.1 The proposed project will accommodate a land use development that is in accordance with patterns and distribution of land uses that are depicted on the General Plan Land Use map proposed for the subject site.
- LU 4.1 The proposed project will accommodate a land use development proposal that is located and designed to visually enhance and not degrade the character of the surrounding area.
- LU 6.1 The proposed project will be developed in accordance with the proposed General Plan land use designation that ensures compatibility and minimizes impacts.

- LU 22.1 The proposed project will accommodate the development of single family detached dwellings in an area that is appropriately designated by the General Plan with approval of the GPA.
- LU 22.4 The proposed project will provide a specific housing type, style and density that is accessible to and, meets the needs, of a range of lifestyles, physical abilities and income levels.
- LU 22.10 The proposed project is designed to consider the surrounding areas to visually enhance, and not degrade, the appearance of adjacent residential structures.
- LU23.6 The proposed project will have proper mitigation measures to protect the neighboring residential areas from Noise, light, fumes, odors, vehicular traffic, parking and operational hazards.
- LU23.7 The proposed project will be served by water and sewer along provided by EVMWD to meet the project demands.
- H-1.1 The proposed single family project will help ensure a sufficient supply of properly planned land to meet housing needs identified in the City's Regional Housing Needs Allocation (RHNA) required in the Housing Element.
- H-6.1 The proposed single project will utilize energy conservation measures in that each enclosed garage space has an EV charging outlet for electric vehicles, and will be designed to meet Green Building code standards.

In addition, the City of Wildomar's adopted 2013-2021 Housing Element includes Policy H-1 which states, "Ensure there is a sufficient supply of multi-family and single-family zoned land to meet the housing needs identified in the Regional Housing Needs Allocation (RHNA)". Per state law, land must be able to be developed at a density of 30 units per acre to be considered affordable to low, very low or extremely low income households. The City's RHNA for low, very low and extremely low income households is 1,574 units.

In furtherance of Policy H-1, the City re-designated 25.96 acres as Highest Density Residential (HHDR), which allows for development at 30 units per acre. Assuming only 80% of the HHDR land can actually be developed, this results in a development potential of 623 units at 30 units per acre. In addition, the City created a "Mixed Use Overlay" zone and applied the zone to most of the properties within the City that already had a Mixed Use General Plan land use designation (totaling 117 acres), including a 5.84 acre portion of the Nova Homes project site (APN: 362-250-001). The Mixed Use Overlay requires 30% to 50% of a site to be developed with multi-family residential uses at a density of at least 30 units per

acre. The residential development potential on the Mixed Use land ranges from 1,053 units to 1,755 units at a density of 30 units per acre. Thus, the City's actions to implement Policy H-1 resulted in the potential for up to 2,378 units to be built that are affordable to low, very low and extremely low income households. This exceeds the City's RHNA for these income categories by 804 units. The Nova Homes Residential project would remove an additional 5.84 acres of land from the 116.99 acres of Mixed Use land in the City, leaving 76.61 acres of available to satisfy the City's RHNA (this remaining acreage includes the 35.54 acres removed as part of the Baxter Village project approved by Council on February 10, 2016). Thus, the remaining 76.61 acres of Mixed Use land could be developed with 689 to 1,149 units at 30 units to the acre. Therefore, a combined total of up to 1,772 units could be built on the 25.96 acres of HHDR land and 76.61 acres of remaining Mixed Use land in the City, which exceeds the City's RHNA for low, very low and extremely low income households by 198 units.

Therefore, the redesignation and rezoning of the Nova Homes Residential project site does not conflict with Policy H-1 because the City is still able to satisfy its RHNA obligations with the remaining property in the City that is designated HHDR or has the Mixed Use Overlay zoning.

- C. Special circumstances or conditions have emerged that were unanticipated in preparing the General Plan.

Evidence: The proposed general plan amendment is needed to address circumstances and conditions that that were unanticipated when the General Plan was adopted by the City Council. The economy, and the housing market in particular, have weathered a great recession. At the time the General Plan land use designation of MUPA was determined for the project site, there was a greater emphasis higher density/mixed use development opportunities. Post-recession, there is now a need for a more balanced approach with lower density uses on the site, which because of its location would be more compatible with the adjacent lower density single family residential neighborhoods to the north and west. Given the property's location away from Clinton Keith Road, the viability of retail uses on the site is no longer practical or economically feasible. With the approval of the 2013 – 2021 Housing Element in December 2013, single-family development opportunities were a specific policy (Policy H-1.1) that encourages the City to pursue so it can provide more home ownership opportunities to meet the City's RHNA. Given the type of project proposed and the amenities being provided, the proposed amendment meets this finding.

#### **SECTION 4. PLANNING COMMISSION ACTION.**

The Planning Commission hereby adopts PC Resolution No. 2016-29 recommending City Council approval of General Plan Amendment No. 15-0129 from MUPA to MHDR, including deletion of Depasquale Road on property known as APN: 362-250-001 & 362-250-026 and as illustrated in Exhibit 1 of this Resolution.

**PASSED, APPROVED AND ADOPTED** this 19th day of October 2016, by the following vote:

AYES.

NOES:

ABSENT:

ABSTAINED:

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Veronica Langworthy  
Planning Commission Chairman

**ATTEST:**

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Matthew C. Bassi  
Planning Director/Minutes Secretary

**APPROVED AS TO FORM:**

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Erica L. Vega  
Assistant City Attorney

# EXHIBIT 1

## Proposed General Plan Land Use Amendment Exhibit

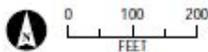
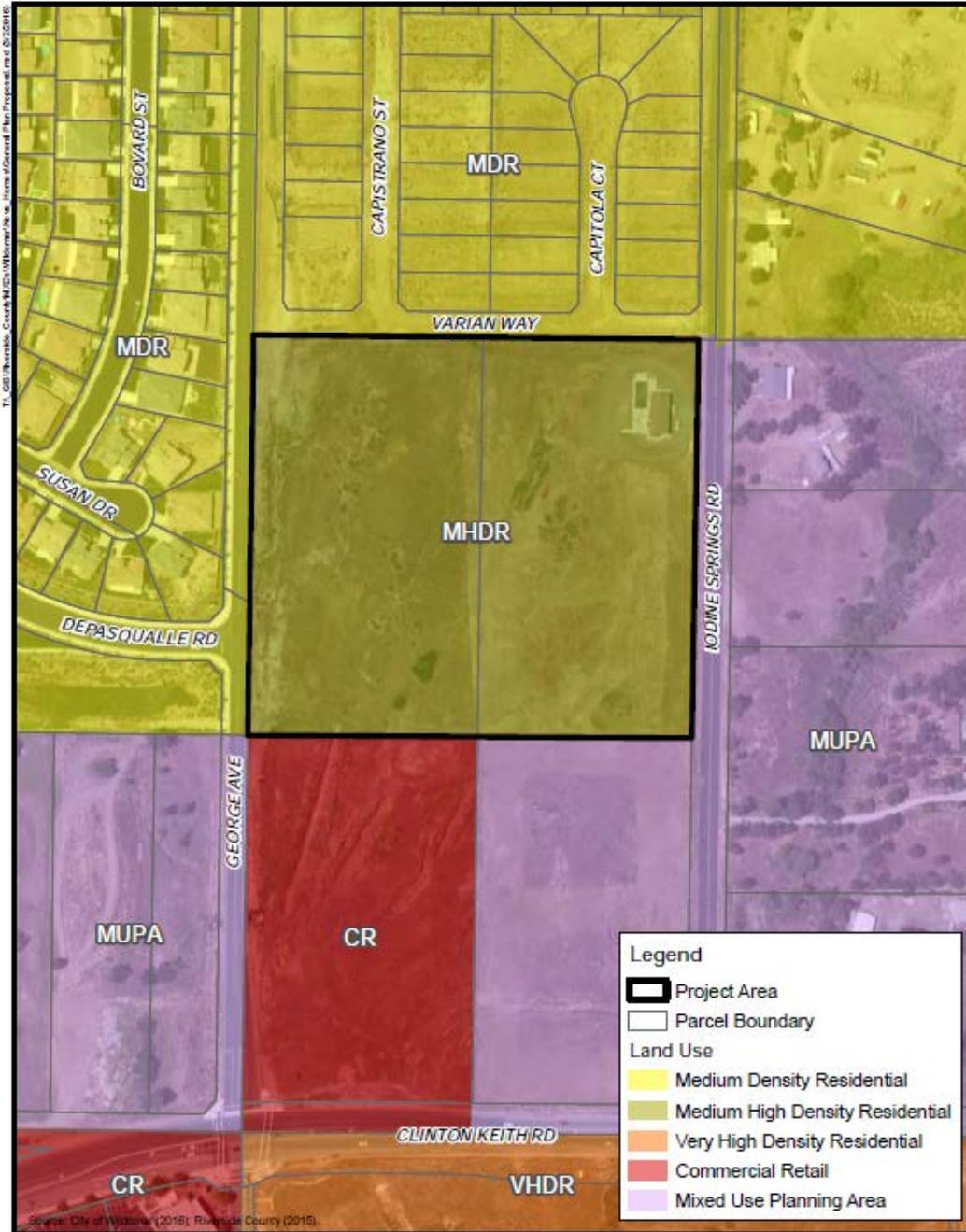


FIGURE 5  
Proposed General Plan Land Use