

RESOLUTION NO. 2026-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, TO ADOPT FINDINGS THAT PLANNING APPLICATION NO. 2024-15 (TENTATIVE TRACT MAP 38512, CONDITIONAL USE PERMIT NO. 2024-08, AND RESIDENTIAL DESIGN REVIEW NO. 2024-07) IS CONSISTENT WITH THE WESTERN RIVERSIDE COUNTY MULTIPLE SPECIES HABITAT CONSERVATION PLAN (MSHCP)

Whereas, James Walters, Fairbrook Communities LLC, has filed an application with the City of Lake Elsinore (City) requesting approval of Planning Application No. 2024-15 for a 451-unit residential development with 137 single-family homes, 84 townhomes, and 230 apartment units including 22 affordable units on an existing vacant 23.05-acre site. The project's requests include Tentative Tract Map No. 38512 to subdivide the 23.05-acre project site into a 6.6-acre parcel for the apartments, two lots totaling 3.8-acres for condominium purposes for the townhomes, and 137 lots for the single-family homes; Conditional Use Permit No. 2024-08 to allow the development of condominiums (townhomes) in in the Commercial Mixed Use (CMU) zone; and, Residential Design Review No. 2024-07 for the proposed building designs and related improvements including new parking, walls and fencing, and landscaping. The project is located on Dexter Avenue between Second Street and Third Street (APN: 377-090-013, 377-090-037, 377-090-039, 377-090-040);

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 Cell;

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;

Whereas, pursuant to Section 17.415.070 (Conditional Use Permits), and Section 17.415.050 (Major Design Review), Section 17.410.070 (Approving Authority), and Section 17.410.030 (Multiple Applications) of the Lake Elsinore Municipal Code (LEMC), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to conditional use permits and design reviews;

Whereas, on December 16, 2025, and subsequently on January 20, 2026, at a duly noticed Public Hearings, the Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item; and by a resolution recommended that the Council adopt Findings of Consistency with the MSHCP; and

Whereas, on February 24, 2026, 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 the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

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

1. The Project 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. Pursuant to the City's MSHCP Resolution, the project is required to be reviewed for MSHCP consistency, including consistency with other "Plan Wide Requirements." These include the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool Guidelines (MSHCP, § 6.1.2), Protection of Narrow Endemic Plant Species Guidelines (MSHCP, § 6.1.3), Additional Survey Needs and Procedures (MSHCP, § 6.3.2), Urban/Wildlands Interface Guidelines (MSHCP, § 6.1.4), Vegetation Mapping (MSHCP, § 6.3.1) requirements, Fuels Management Guidelines (MSHCP, § 6.4), and payment of the MSHCP Local Development Mitigation Fee (MSHCP Ordinance, § 4).

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 is not located within a Criteria Cell and therefore was not required to go through the LEAP and JPR processes

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

The project site is vacant and undeveloped. A MSHCP Biological Resources Compliance Analysis was prepared for the project in which it was determined that the project would not result in impacts to the MSHCP riparian/riverine resources, vernal pools, riparian birds. The project is therefore consistent with the Riparian/Riverine Areas and Vernal Pool Guidelines set forth in Section 6.1.2 of the MSHCP. No further action regarding this section of the MSHCP is required.

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

The project site is not located within the Narrow Endemic Plant Species Survey Areas as shown on Figure 6-1 of the MSHCP. The project is consistent with the Protection of Narrow Endemic Plant Species Guidelines as set forth in Section 6.1.3 of the MSHCP.

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

The MSHCP only requires additional surveys for certain species if the project is located in Criteria Area Species Survey Areas, Amphibian Species Survey Areas, Burrowing Owl Survey Areas, and Mammal Species Survey Areas of the MSHCP. The project site is partially located within the MSHCP survey area for burrowing owls (BUOW). A pre-construction BUOW would be required and is included as a mitigation measure to the project's IS/MND.

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

According to section 6.1.4 of the MSHCP, the Urban/Wildlands Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The project site is not near an existing or proposed conservation area. Therefore, the Urban/Wildlife Interface Guidelines are not applicable.

7. The Project is consistent with the Vegetation Mapping requirements.

There are no resources located on the project sites requiring mapping as set forth in MSHCP Section 6.3.1.

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

The MSHCP acknowledges that brush management to reduce fuel loads and protect urban uses and public health/safety shall occur where development is adjacent to conservation areas. The project is not located within or adjacent to MSHCP Conservation Areas. Since the project site is not immediately adjacent to a MSHCP Conservancy Area, the proposed project does not pose a risk of causing direct or indirect effects to MSHCP Conservancy Areas. Therefore, the project is consistent with the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP. The project will incorporate the BMPs outlined in Volume I, Appendix C of the MSHCP as part of the development. Therefore, the project is consistent with the Fuels Management Guidelines as set forth in Section 6.4 of the MSHCP.

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

As a condition of approval, the project will be required to pay the City's MSHCP Local Development Mitigation Fee at the time of issuance of building permits.

10. The Project is consistent with the MSHCP.

The project site is not within or adjacent to any MSHCP Criteria Cell or conservation areas. As described above, the project complies with all applicable MSHCP requirements.

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 at a regular meeting of the City Council of the City of Lake Elsinore, California on this 24th day of February 2026.

Robert E. Magee,
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, hereby certify that Resolution No. 2026-__ was adopted by the City Council of the City of Lake Elsinore, California, at a regular meeting held on February 24, 2026, and that the same was adopted by the following vote:

AYES
NOES:
ABSTAIN:
ABSENT:

Candice Alvarez, MMC
City Clerk