

RESOLUTION NO. 24-_____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA APPROVING MAJOR MODIFICATION NO. PLN22-0246
TO TENTATIVE TRACT MAP NO. 36658, LOCATED SOUTH OF
MCLAUGHLIN ROAD, EAST OF GOETZ ROAD, AND WEST OF
VALLEY BOULEVARD WITHIN MENIFEE, RIVERSIDE COUNTY, CA
(APNS: 330-230-042, -043, 330-220-016, AND -017)**

WHEREAS, on October 12, 2022, the applicant, Pulte Home Company LLC, filed a formal application with the City of Menifee for the approval of the Cimarron Ridge Specific Plan Amendment (SPA) No. PLN23-0060, Major Modification (MJMOD) to Tentative Tract Map (TTM) No. 36658 (PLN22-0246) and Development Agreement (DA) Amendment No. PLN23-0241 proposing to transfer 49 residential lots from Planning Area (PA) 4 to PA-5 and transfer the 10.19-acre park from PA-5 to PA-4. PA-4 will consist of 81 residential lots and include a 10.19-acre park consisting of active and passive uses and amenities, which include a dog park, concession/bathroom building, baseball/softball fields, one multi-purpose field, perimeter walking trails, and 101 off-street parking spaces. PA-5 will consist of 151 single-family residential lots, a 1.5-acre recreation area, and 1.2-acre pickleball facility in conjunction with PA-6, which proposes 96 residential lots. Both Planning Areas are age restricted, gated communities. The streets of Phase 5 and Phase 6 of TTM No. 36658 will be converted from public streets to private streets. The design of the intersection of Smokey Quartz Street and Goetz Road will be revised to accommodate the proposed gated entry and turnaround. Gates will also be added to the east entry of Phase 5 on Byers Road and the north entry on McLaughlin Road; and

WHEREAS, the application for the MJMOD to TTM No. 36658 is being processed concurrently with the SPA and the Amendment to the Cimarron Ridge DA; and

WHEREAS, on February 28, 2024, the Planning Commission of the City of Menifee held a duly noticed public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for MJMOD No. PLN22-0246, which the hearing was publicly noticed on February 28, 2024 by a publication in The Press Enterprise (a newspaper of general circulation), an agenda posting, on-site posting and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice; and

WHEREAS, at the February 28, 2024 Planning Commission public hearing, based upon the materials in the staff report and accompanying documents, public comment, and Planning Commission discussion, the City of Menifee Planning Commission recommended that the City Council approve MJMOD; and,

WHEREAS, on March 20, 2024, the City Council of the City of Menifee held a duly noticed public hearing on the Project, considered all public testimony as well as all materials in the staff report and accompanying documents for MJMOD No. PLN22-0246, which the hearing was publicly noticed on March 20, 2024 by a publication in The Press Enterprise (a newspaper of general circulation), an agenda posting, on-site posting and notice to property owners within 300 feet of the Project boundaries, and to persons requesting public notice; and

WHEREAS, all other legal prerequisites to the adoption of this resolution have occurred.

NOW, THEREFORE, the City Council of the City of Menifee resolves as follows:

Section 1. With regard to MJMOD for TTM No. 36658 (TR 2013-208), the City Council hereby makes the following findings:

1. *Consistency with the General Plan. The Tentative Tract Map is consistent with the General Plan Land Use Map and applicable General Plan objectives, policies, and programs.*

The General Plan Land Use designation for the subject parcel is 2.1-5 Dwelling Units/Acre Residential (2.1-5R). This designation is intended for single-family detached residences at a density between 2 to 5 dwelling units per acre.

Properties to the north are designated Public Utility Corridor (PUC) and Economic Development Corridor (EDC). Properties to the east are designated 2.1 to 5 Dwelling Units per Acre Residential (2.1-5R) and 5.1 to 8 Dwelling Units per Acre Residential (5.1-8R). Properties to the south are designated as 2.1 to 5 Dwelling Units per Acre Residential (2.1-5R). Properties to the west are within the City of Perris and designated Single-Family Residential 20,000 (R-20,000) and Single-Family Residential 6,000 (R-6,000) which are compatible with those proposed for the site.

The Project proposes to subdivide and develop 756 single-family residences on 240.3 acres for a density of 3.1 dwelling units per acre. Therefore, the proposed TTM is consistent with the General Plan land use designation of 2.1-5R.

In addition, the modifications to the TTM are consistent with the following General Plan goals and policies in particular:

Goal LU-1 Land uses and building types that result in a community where residents at all stages of life, employers, workers, and visitors have a diversity of options of where they can live, work, shop, and recreate within Menifee.

LU-1.2 Provide a spectrum of housing types and price ranges that match the jobs in the City and make it possible for people to live and work in Menifee and maintain a high quality of life.

LU-1.7 Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the City.

HE-1.2: Specific Plans. Support residential growth and infill in specific plan areas and along corridors where comprehensive neighborhood planning is completed and adequate infrastructure is planned.

HE-1.3: Housing Design. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

HE-2.4 Parks and Recreation. Enhance neighborhood livability and sustainability by providing parks and open spaces, planting trees, greening parkways, and maintaining a continuous pattern of paths that encourage an active, healthy lifestyle.

HE-2.5 Public Facilities and Infrastructure. Provide quality community facilities, infrastructure, traffic management, public safety, and other services to promote and improve the livability, safety, and vitality of residential neighborhoods.

Goal C-1: A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.

C-1.1 Require roadways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple transportation modes and users.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices.

C-1.4 Promote development of local street patterns that unify neighborhoods and work with neighboring jurisdictions to provide compatible roadway linkages at the City limits.

Goal C-2: A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.

C-2.1 Require on- and off-street pathways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
- Be compatible with the streetscape and surrounding land uses.
- Be maintained in accordance with best practices.

C-2.3 Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Goal OSC-1: A comprehensive system of high-quality parks and recreation programs that meets the diverse needs of the community.

OSC-1.1 Provide parks and recreational programs to meet the varied needs of community residents, including children, youth, adults, seniors, and persons with disabilities, and make

these facilities and services easily accessible and affordable to all users.

OSC-1.2: Require a minimum of five acres of public open space to be provided for every 1,000 City residents.

OSC-1.3: Locate and distribute parks and recreational facilities throughout the community so that most residents are within walking distance (one-half mile) of a public open space.

Goal CD-1: A unified and attractive community identity that complements the character of the City's distinctive communities.

CD-1.3 Strengthen the identity of individual neighborhoods/communities with entry monuments, flags, street signs, and/or special tree streets, landscaping, and lighting.

Goal CD-3: Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.

CD-3.9 Utilize Crime Prevention through Environmental Design (CPTED) techniques and defensible space design concepts to enhance community safety.

CD-3.10 Employ design strategies and building materials that evoke a sense of quality and permanence.

CD-3.12 Utilize differing but complementary forms of architectural styles and designs that incorporate representative characteristics of a given area.

CD-3.13 Utilize architectural design features (e.g., windows, columns, offset roof planes, etc.) to vertically and horizontally articulate elevations in the front and rear of residential buildings.

CD-3.14 Provide variations in color, texture, materials, articulation, and architectural treatments. Avoid long expanses of blank, monotonous walls or fences.

Goal CD-6: Attractive landscaping, lighting, and signage that conveys a positive image of the community.

CD-6.1 Recognize the importance of street trees in the aesthetic appeal of residential neighborhoods and require the planting of street trees throughout the City.

Goal N-1: Noise-sensitive land uses are protected from excessive noise and vibration exposure.

- N-1.2 Require new projects to comply with the noise standards of local, regional, and state building code regulations, including but not limited to the City's Municipal Code, Title 24 of the California Code of Regulations, the California Green Building Code, and subdivision and development codes.
- N-1.3 Require noise abatement measures to enforce compliance with any applicable regulatory mechanisms, including building codes and subdivision and zoning regulations, and ensure that the recommended mitigation measures are implemented.
- N-1.8 Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state, and City noise standards and guidelines as a part of new development review.
- N-1.15 Employ noise mitigation practices and materials, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.

2. *Consistency with the Zoning Code.*

As previously stated, the MJMOD transfers lots from PA-4 to PA-5, as well as the relocation of the park. The lots as proposed meet all of the standards required by the Cimarron Ridge Specific Plan.

3. *Surrounding Uses. Approval of the application will not create conditions materially detrimental to the public health, safety and general welfare or injurious to or incompatible with other properties or land uses in the project vicinity.*

Existing uses to the north and east include single-family residential, to the south and west is vacant land. The proposed Project would allow for the development of single-family dwellings similar to existing development to the east and west. The Project is compatible with the surrounding land uses, General Plan Land Use designations and Zoning classifications. The Project incorporates quality design and landscaping which will enhance the area. Furthermore, the Project has been reviewed by the City of Menifee Community Development, Engineering, and Police Departments, and the Office of the Fire Marshal, as well as applicable external agencies and departments to ensure that the Project meets all applicable development standards. The Project complies with the Development Code standards of Title 9, including but not limited to, lot width, lot depth and lot area in the Specific Plan MDR zone. All necessary on and off-site improvements will be required as Conditions of Approval.

4. *Compliance with California Environmental Quality Act (CEQA). Processing and approval of the permit application are in compliance with the requirements of CEQA.*

Environmental impacts resulting from the Project have been analyzed in an Environmental Impact Report (EIR) (SCH) No. 2014051029 adopted October 21, 2015, which determined impacts including, but not limited to, biological resources, cultural resources, and noise would all be less than significant. However, the EIR did determine that potentially significant impacts to air quality and traffic could occur. Mitigation measures were included to reduce the impacts to air quality and traffic as feasible, but potentially significant impacts may still occur and a Statement of Overriding Considerations was included for the EIR and this Project as pursuant to Resolution No. PC 15-222.

Per CEQA Guidelines Section 15164, this Addendum has been prepared in accordance with the provisions of CEQA. The analysis presented in the Addendum substantiates that the Final EIR (FEIR) for the Specific Plan is sufficient to satisfy CEQA requirements for the approval of the proposed Project. That is, implementation and operation of the proposed Project described in the Addendum would not result in any new or substantially more severe environmental impacts than were previously considered and addressed in the FEIR. Further, the Project would implement all applicable mitigation measures presented in the FEIR. As such, potential environmental impacts of the Project are considered to be adequately and appropriately addressed by analysis presented in the FEIR.

The City of Menifee has two active conservation plans within the City's boundary, the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), and the Stephens' Kangaroo Rat Habitat Conservation Plan (SKR-HCP). The subject site is within the jurisdiction of the SKR-HCP and the Western Riverside County MSHCP. The Project site is located inside the Stephen's Kangaroo Rat (SKR) (*Dipodomys stephensi*) Fee Area. The proposed Project is located within the boundaries of the Western Riverside County MSHCP, however the Project is not located with a Criteria Cell or Cell Group. The Project will be subject to the payment of fees for a residential project consistent with Resolution No. 22-1264 as adopted by the City of Menifee. Therefore, the Project will not conflict with the provisions of the adopted MSHCP, Natural Conservation Community Plan, or other approved local, regional, or State conservation plan and the impact is considered less than significant.

Section 2. That the Addendum was prepared for the proposed Project in compliance with the requirements of CEQA and the CEQA Guidelines

Section 3. The City Council finds that the facts present within the public record and within this Resolution provide the basis to approve MJMOD to TTM No. 36658 subject to the Conditions of Approval as set forth in the attached Exhibit "A" provided in this Resolution.

Section 4: The documents and materials that constitute the record of proceedings on which this Resolution has been based are located at the Community Development Department – Planning Division, 29844 Haun Road, Menifee, CA 92586. This information is provided in compliance with Public Resources Code section 21081.6.

PASSED, APPROVED AND ADOPTED this 20th day of March 2024.

Cimarron Ridge - MJMOD
March 20, 2024

Bill Zimmerman, Mayor

Attest:

Stephanie Roseen, Acting City Clerk

Approved as to form:

Jeffrey T. Melching, City Attorney