

ORDINANCE NO. 24-_____

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENIFEE
APPROVING SPECIFIC PLAN AMENDMENT NO. PLN23-0060, AN
AMENDMENT TO THE CIMARRON RIDGE SPECIFIC PLAN
MODIFYING PA-4, PA-5 & PA-6 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, applicant, Pulte Home Company LLC, filed a formal application with the City of Menifee requesting to amend the Cimarron Ridge Specific Plan No. 2013-247 (PLN23-0060) originally adopted on October 21, 2015, located south of McLaughlin Road, east of Goetz Road, and west of Valley Boulevard within the City of Menifee; and

WHEREAS, Specific Plan Amendment (SPA) for the Cimarron Ridge Specific Plan proposes changes to the previously established Planning Area (PA) 4, and PA-5. The SPA proposes transferring 49 residential lots from PA-4 to PA-5 and transferring the 10.19-acre park from PA-5 to PA-4 but does not propose any alterations to density as a result of these revisions. 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 PA-5 and PA-6 will be age restricted, gated communities; and

WHEREAS, the application for the SPA is being processed concurrently with Major Modification (MJMOD) to Tentative Tract Map (TTM) No. 36658 (PLN22-0246) and the Amendment to the Cimarron Ridge Development Agreement (DA) No. PLN23-0241; 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 SPA No. PLN23-0060, which the hearing was publicly noticed on February 18, 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 the City Council adopt SPA No. 2023-0060; and

WHEREAS, on March 20, 2024, the City Council held a duly noticed public hearing concerning the Ordinance, introduced and conducted a first reading of the Ordinance, and considered testimony and evidence at the public hearing held with respect thereto.

NOW, THEREFORE, the City Council of the City of Menifee does ordain as follows:

Section 1. With regard to SPA No. PLN23-0060, the City Council hereby makes the following findings:

1. *Consistency with the General Plan. The project is consistent with the General Plan, Specific Plan (if applicable), 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 transfer 49 residential lots from PA-4 to PA-5 and transfer the 10.19-acre park from PA-5 to PA-4 but does not propose any alterations to density as a result of these revisions. PA-4 will consist of 81 residential lots and include a 10.19-acre park and 101 parking stalls. 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 PA-5 and PA-6 are age restricted, gated communities. The SPA does not result in an increase in total residential units, this remains 756 units.

In addition, the SPA is 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.

LU-1.9 Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.

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.

2. *Consistency with the Zoning Code*

The SPA proposes to transfer lots from PA-4 to PA-5, as well as the relocation of the park. The total number of units and the density will not change as part of this amendment. Therefore, the proposed SPA remains consistent with the zoning code.

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 amendment will continue to allow for the development of single-family dwellings at the same density as previously approved and 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.

4. *Compliance with the 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. PC15-222.

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 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 Final EIR (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 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 hereby approves SPA No. PLN23-0060 as attached in Exhibit "A".

Section 4: Effective Date. The Ordinance shall take effect and be in full force and operation 30 days after its second reading and adoption.

Section 5: Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivision, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

Section 6: Notice of Adoption. The City Clerk is authorized and directed to cause this Ordinance to be published within 15 days after its passage in a newspaper of general circulation and circulated within the City in accordance with Government Code Section 36933(a) or, cause this Ordinance to be published in the manner required by law using the alternative summary and posting procedure authorized under Government Code Section 36933(c).

THIS ORDINANCE WAS INTRODUCED AND READ on the 20th day of March 2024 and **PASSED, APPROVED AND ADOPTED** this 3rd day of April 2024.

Bill Zimmerman, Mayor

Attest:

Sarah A. Manwaring, City Clerk

Cimarron Ridge - SPA
March 20, 2024

Approved as to form:

Jeffrey T. Melching, City Attorney