



CITY OF MENIFEE

Community Development Department

Cheryl Kitzerow – Community Development Director

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NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research (OPR)
P.O. Box 3044
Sacramento, CA 95812-3044
☒ County of Riverside County Clerk

FROM: City of Menifee
Community Development Department
29844 Haun Road
Menifee, CA 92586

Project Title/Case No.: Development Code Amendment No. LR 22-0130 – Development Code Update for Battery Energy Storage Systems

Project Location:

The changes to the permitted uses apply to properties zoned Business Park, Heavy Industrial and Menifee Valley Specific Plan, Planning Areas 2 and 3 throughout the City. The special use standards and definitions which are proposed to be added are applicable Citywide.

Name of Public Agency Approving Project: City of Menifee

Project Sponsor: City of Menifee – Contact: Ryan Fowler, rfowler@cityofmenifee.us or (951) 723-3740

Exempt Status: (Check one)

- | | |
|-----------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| <input type="checkbox"/> Ministerial (Sec. 21080(b)(1); 15268) | <input type="checkbox"/> Categorical Exemption |
| <input type="checkbox"/> Declared Emergency (Sec. 21080(b)(3); 15269(a)) | <input type="checkbox"/> Statutory Exemption |
| <input type="checkbox"/> Emergency Project (Sec. 21080(b)(4); 15269 (b)(c)) | <input checked="" type="checkbox"/> Other: <u>(15061.b.3)(15378(a))(15378(b)(5))</u> |

Reasons why project is exempt: The City has considered the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) with regard to the possible impacts the proposed Development Code Amendment may have upon the environment. The adoption of the proposed amendment does not fall within the definition of a “project” under CEQA because it, as a narrative change to the Municipal Code, does not have the potential for resulting in a direct or indirect physical change in the environment (CEQA Guidelines 15378(a)) and is an administrative activity of the City that will not result in direct or indirect physical changes in the environment (CEQA Guidelines 15378(b)(5)). In addition, the adoption of the proposed amendment is exempt from CEQA because there is no possibility that the proposed ordinance, as a textural change to the Municipal Code, may have a significant impact on the physical environment (CEQA Guidelines 15061) and because, per Section 15061(b)(3), it can be seen with certainty to have no possibility of a significant effect upon the environment.

Granting the development code text changes incorporating new development standards and definitions and establishing permitted and conditionally permitted uses related to utility-scale battery energy storage systems will not have any potential for causing a significant effect on the environment and does not have the possibility of changing the physical environment. The changes reduce environmental impacts and align the development code with the City’s adopted General Plan. All future development projects will provide project specific analysis and comply with the existing General Plan EIR Mitigation Measures. Therefore, this determination is an issue of fact and sufficient evidence exists in the record that the activity will not have a significant effect on the environment.

Official County Use Only

NOTICE OF EXEMPTION

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Ryan Fowler

City Contact Person

(951) 723-3740

Phone Number

Signature

Principal Planner

Title

10/6/2022

Date

Date Received for Filing and Posting at OPR: _____