

RESOLUTION NO. PC 22-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MENIFEE, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL DETERMINE THAT THE PROPOSED ADDENDUM TO THE FINAL ENVIRONMENTAL IMPACT REPORTS CERTIFIED FOR THE CITY'S GENERAL PLAN AND HOUSING ELEMENT UPDATE HAVE ADEQUATELY ADDRESSED THE IMPACTS OF THE PROJECT; AND THAT THE CITY COUNCIL ADOPT A RESOLUTION APPROVING GENERAL PLAN AMENDMENT PLN21-0404 AND ADOPT AN ORDINANCE APPROVING CHANGE OF ZONE (CZ) NO. PLN 21-0405.

WHEREAS, on December 10, 2021, the City of Menifee created an application for General Plan Amendment PLN21-0404 and Change of Zone (CZ) No. PLAN 21-0405 to: 1) amend the General Plan Land Use Map for 533.9 acres of land (28 parcels) from EDC-SG to EDC-CC land use designation in the southern portion of Menifee; 2) amend Exhibit LU-3 (Land Use Designations) of the general plan; 3) amend Exhibit LU-4 (Land Use Buildout Summary) of the general plan; 4) amend the Land Use Background Document and Definitions; 5) amend the Economic Development Corridor subareas; 6) change the zoning map on 533.9 acres to be consistent with the new General Plan Land Use; 7) update the definition of the Business Park (BP) land use designation; and 8) change the Permitted Use Table for the Business Park zoning district. The definition of the BP land use designation would be revised to remove warehouse/distribution uses as permitted uses within BP-designated land in Menifee; and

WHEREAS, a detailed visual for General Plan Amendment No. PLN 21-0404 has been prepared and attached hereto as Exhibit "A" of the resolution; and

WHEREAS, a detailed visual for Change of Zone No. PLN 21-0405 has been prepared and attached hereto as Exhibit "B" of the resolution; and

WHEREAS, on November 9, 2022, the Planning Commission held a duly noticed public hearing on the modification, considered all public testimony as well as all materials in the staff report and accompanying documents for General Plan Amendment PLN21-0404 and Change of Zone (CZ) No. PLAN 21-0405, which hearing was publicly noticed by a publication in the newspaper of general circulation, an agenda posting, and notice to property owners within 300 feet of the modification's boundaries, and to persons requesting public notice; and

WHEREAS, the Planning Commission considered the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et. seq.) with regard to the possible impacts that proposed General Plan Amendment PLN21-0404 and Change of Zone (CZ) No. PLAN 21-0405 may have upon the environment; and

WHEREAS, the Planning Commission considered, among others, the following Goals and Policies of the City's adopted General Plan:

NOW, THEREFORE, the Planning Commission resolves as follows:

Section 1: The City of Menifee's Planning Commission hereby makes the following findings for General Plan Amendment PLN21-0404 in accordance with Section 9.50.070 "Findings of Approval" and for Change of Zone PLN21-0405 in accordance with Section 9.1120.070 "Findings of Approval" of the City's Development Code:

Finding No. 1: The amendment and change of zone are consistent with the intent of the vision, goals and policies of the General Plan as a whole.

The general plan and zoning for the project site is Economic Development Corridor. The proposed modifications to: 1) amend the General Plan Land Use Map for 533.9 acres of land (28 parcels) from EDC-SG to EDC-CC land use designation in the southern portion of Menifee; 2) amend Exhibit LU-3 (Land Use Designations) of the general plan; 3) amend Exhibit LU-4 (Land Use Buildout Summary) of the general plan; 4) amend the Land Use Background Document and Definitions; 5) amend the Economic Development Corridor subareas; 6) change the zoning map on 533.9 acres to be consistent with the new General Plan Land Use; 7) update the definition of the Business Park (BP) land use designation; and 8) change the Permitted Use Table for the Business Park zoning district will provide consistency with previous changes in the Economic Development Corridor subareas. As proposed, the project will remain consistent with the General Plan by being strategic with development in certain parts of the City.

Finding No. 2: The amendment prescribes reasonable controls and standards for affected land uses to ensure compatibility and integrity of those uses with other established uses.

The proposed amendments as outline in Finding 1, prescribe reasonable controls and standards to ensure compatibility with other established uses in the area. The expansion of the Community Core District will eliminate certain uses that may create certain environmental impacts and will be compatible with the existing commercial uses established north of the project site. Additionally, the amendment to the Land Use Business Park designation will ensure that there is more compatibility between the uses allowed in the Business Park and adjacent zoning districts.

Finding No. 3: The amendment provides for the protection of the general health, safety and/or welfare of the community.

The amendments as outline in Finding 1, will not result in conditions detrimental to the public health, safety, or general welfare as currently proposed. The land use change and general plan text amendment does not involve physical construction; however, it does restrict certain land uses in order to maintain a commercial/office corridor aligned with the City's vision for the EDC corridor. Additionally, the removal of warehousing/distribution as a permitted use in the Business Park designation will further protect residential land uses adjacent to Business Park. Future development under the proposed land uses will be required

to meet City zoning and design standards which further ensure compatibility with other established uses.

Therefore, the modification would 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 impacted vicinity.

Finding No. 4: *The proposed zone or amendments to this Title provides reasonable property development rights while protecting environmentally sensitive land uses and species.*

Although the expansion to the Community Core District will restrict certain uses, the reasonable property development rights of landowners will not be significantly impacted. The proposed changes seek to preserve the character of the corridor while creating a framework for thoughtful and compatible growth.

Section 2: *Compliance with California Environmental Quality Act (CEQA). Processing and approval of the general plan and change of zone application are in compliance with the requirements of CEQA.*

The City is the lead agency under the California Environmental Quality Act (CEQA). The City certified the General Plan EIR (State Clearinghouse No. 2012071033) by Resolution No. 13-347 on December 18, 2013 and certified the Housing Element Update EIR by Resolution No. 21-1111 on December 15, 2021 in compliance with CEQA. Following review of the proposed project, the City as the Lead Agency, determined it is subject to CEQA Guidelines and regulations. The City has prepared this Addendum to the General Plan EIR and Housing Element Update EIR to analyze the potential impacts associated with the proposed project (GPA and ZC) and satisfy the requirements of CEQA Guidelines Section 15164, Addendum to an EIR or Negative Declaration.

Section 3: Notice of Adoption. The City Clerk of the City of Menifee shall certify to the adoption of this resolution.

Section 7: Effective Date. This resolution shall become effective upon its adoption.

Section 8: Severability. If any provision of this resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications and, to this end, the provisions of this resolution are declared to be severable.

NOW, THEREFORE, The Planning Commission of the City of Menifee recommends to the City Council the following:

1. That the City Council determine that the Findings set out above are true and correct.
2. That the City Council determine that the addendum to the General Plan EIR and Housing Element Update EIR has been completed for the

Project in accordance with the California Environmental Quality Act, State and local CEQA guidelines.

3. That the City Council finds that the facts presented within the public record and within the Planning Commission resolution (including Exhibit "A" and "B") provide a basis to approve General Plan Amendment PLN 21-0404 and Change of Zone (CZ) No. PLAN 21-0405.

PASSED, APPROVED AND ADOPTED this the 9th day of November, 2022.

David White, Chairman

Attest:

Rachel Valencia, Acting Deputy City Clerk

Approved as to form:

Thai Phan, Assistant City Attorney