

RESOLUTION NO. 23-\_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE, CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. PLN21-0404, WHICH AMENDS: 1) THE GENERAL PLAN LAND USE DESIGNATION OF APPROXIMATELY 533.9 ACRES OF LAND (28 PARCELS) FROM ECONOMIC DEVELOPMENT CORRIDOR SOUTHERN GATEWAY (EDC-SG) TO ECONOMIC DEVELOPMENT CORRIDOR COMMUNITY CORE (EDC-CC); 2) AMEND EXHIBIT LU-3; 3) AMEND EXHIBIT LU-4; 4) AMEND LAND USE BACKGROUND DOCUMENTS AND DEFINITIONS; AND 5) AMEND THE ECONOMIC DEVELOPMENT CORRIDOR SUBAREAS.**

**WHEREAS**, on December 10, 2021, the City of Menifee created an application for General Plan Amendment PLN21-0404 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; and 5) amend the Economic Development Corridor subareas.

**WHEREAS**, the application for the General Plan Amendment (GPA) is being processed concurrently with application for a Change of Zone (COZ) No. PLN 21-0405 located on properties south of Garbani Road, north of Scott Road, east of Sherman Road, and west of Palomar Road; 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 GPA PLN21-0404, 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**, at the November 9, 2022, 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 GPA No. PLN21-0404; and,

**WHEREAS**, on January 18, 2023, the City Council 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 the Project, including the consideration of the Addendum, which hearing was publicly noticed by *The Press Enterprise, Daily Bulletin and The Sun*, newspapers of general circulation, an agenda 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:** *The amendment is 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; and 5) amend the Economic Development Corridor subareas that 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.

**Section 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.

**Section 3:** *The amendment provides for the protection of the health, safety, and/or general 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.

**Section 4: CEQA Compliance.** 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 an Addendum to the General Plan EIR and Housing Element Update EIR to

analyze the potential impacts associated with the proposed project (GPA and COZ) and satisfy the requirements of CEQA Guidelines Section 15164, Addendum to an EIR or Negative Declaration.

**Section 5: Approval of the GPA.** The City Council finds that the facts present within the public record and within this Resolution provide the basis to approve GPA No. PLN21-0404 amending the General Plan Land Use Map as shown in the attached Exhibit “A” provided in this resolution.

**Section 6:** 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 18<sup>th</sup> day of January 2023.

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Bill Zimmerman, Mayor

Attest:

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A Kay Vinson, Acting City Clerk

Approved as to form:

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Jeffrey T. Melching, City Attorney