



# CITY OF MENIFEE

## Community Development Department

Cheryl Kitzerow – Community Development Director

### 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 Meniffee  
Community Development Department  
29844 Haun Road  
Meniffee, CA 92586

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

#### Project Description:

Development Code Amendment No. LR 22-0130 was previously approved by City of Meniffee City Council on October 5, 2022. It consisted of four main code amendments to the Meniffee Municipal Code: an update to Title 9, Article 3 (“Zones”), Section 9.135.030 (“Allowed Uses and Approval Requirements”), Article 5 (“Special Use Standards”), Chapter 9.300 (“Energy Storage Facilities”), and Article 6 (“Definitions”), and an amendment to zoning text of the Meniffee North Specific Plan No. 260 to include Battery Energy Storage as an allowable use subject to the above-referenced Chapter 9.300.

After adoption, Staff discovered Chapter 9.300 was previously occupied by an existing separate Chapter of the City of Meniffee Development Code (i.e., Chapter 9.300, “Universal Definitions”). As such, it was necessary to modify Development Code Amendment No. LR 22-0130 to reference an unused chapter of the Development Code (i.e., Chapter 9.297). As such, the currently proposed Ordinance now lists Chapter 9.297 in all cases where it had previously listed Chapter 9.300.

#### Project Location:

The Development Code Amendment includes changes to the permitted uses which would apply to properties zoned Business Park, Heavy Industrial and Meniffee Valley Specific Plan (Planning Areas 2 and 3) throughout the City. The special use standards and definitions that are added are applicable Citywide.

**Name of Public Agency Approving Project:** City of Meniffee

**Project Sponsor:** City of Meniffee – Contact: Ryan Fowler, [rfowler@cityofmeniffee.us](mailto:rfowler@cityofmeniffee.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 change to the proposed amendment does not fall within the definition of a “project” under CEQA because, as an editorial change to the Municipal Code, it does not have the potential to result 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 editorial change to the amendment is exempt from CEQA, because there is no possibility that the proposed change 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 will not have any potential for causing a significant effect on the environment and does not have the possibility of changing the physical environment. All future development projects will provide project specific analysis and comply with the existing General Plan EIR Mitigation Measures. Therefore,

NOTICE OF EXEMPTION

Page 2

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

Ryan Fowler  
*City Contact Person*

(951) 723-3740  
*Phone Number*

Signature

Principal Planner  
Title

3/15/2023  
Date

Date Received for Filing and Posting at OPR: \_\_\_\_\_