

RESOLUTION NO. 23- _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MENIFEE,
CALIFORNIA APPROVING GENERAL PLAN AMENDMENT NO. LR23-0013 TO
UPDATE THE SAFETY AND CIRCULATION ELEMENTS OF THE GENERAL
PLAN**

WHEREAS, pursuant to Government Code Section 65358, the City has considered less than four proposed amendments to the City's General Plan Safety and Circulation Elements in the year 2023; and

WHEREAS, on January 12, 2023, the City of Menifee initiated General Plan Amendment No. LR23-0013 to update the Safety and Circulation Elements of the General Plan; and

WHEREAS, the Safety Element Amendment (Exhibit A) will include added language to describe the City's Local Hazard Mitigation Plan (LHMP) and incorporate the LHMP by reference for compliance with Assembly Bill (AB) 2140; and

WHEREAS, AB 2140 provides cities the authority to adopt by reference their respective LHMP as part of the Safety Element of the General Plan and by doing so, a city becomes eligible for additional funding from the California Office of Emergency Services (OES) under the California Disaster Assistance Act; and

WHEREAS, on March 1, 2023, the City Council adopted Resolution No. 2023-1293, approving the City's LHMP; and

WHEREAS, on March 24, 2023, Menifee's LHMP received conditional approval from the Federal Emergency Management Agency (FEMA); and

WHEREAS, additional funding from OES made available through this General Plan Amendment is in the public interest; and

WHEREAS, the Circulation Element component will remove various street classifications and realign roadway segments identified/designated in Exhibit C-3 (Roadway Network) to be consistent with the existing built roadway conditions and/or right-of-way (Exhibit B); and

WHEREAS, on March 24, 2023, the Riverside County Airport Land Use Commission (ALUC) Director found General Plan Amendment LR23-0013 to be consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan and the 2010/2011 Perris Valley Airport Land Use Compatibility Plan; and

WHEREAS, on May 10, 2023, the City of Menifee Planning Commission 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 General Plan Amendment LR23-0013, which hearing was publicly noticed on April 30, 2023, by a publication in a newspaper of general circulation, an agenda posting, and to persons requesting public notice; and

WHEREAS, at the May 10, 2023, Planning Commission public hearing, based upon all materials and testimony considered, the Planning Commission voted 5-0 to adopt Resolution No. PC23-592 recommending that the City Council find General Plan Amendment No. LR23-0013

Exempt from environmental review under the California Environmental Quality Act (CEQA), and approve General Plan Amendment No. LR23-0013 to update the Safety and Circulation Elements of the General Plan; and

WHEREAS, on June 7, 2023, the City of Menifee City Council, held a duly noticed public hearing to consider General Plan Amendment No. LR23-0013, opened the hearing to receive public testimony; and reviewed all materials in the staff report and accompanying documents for General Plan Amendment LR23-0013, which hearing was publicly noticed on May 28, 2023, by a publication in a newspaper of general circulation, an agenda posting, and to persons requesting public notice.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Menifee makes the following Findings:

Section 1: The recitals above are true and correct and are incorporated in full herein.

Section 2: *Consistency with the General Plan. The proposed amendments are consistent with the intent of the vision, goals, and policies of the General Plan as a whole.*

The proposal is a General Plan Amendment to the Safety and Circulation Elements ("Project," attached and incorporated in full to this Resolution as Exhibits A and B). The proposed General Plan Amendment is consistent with the intent of the goals and policies of the General Plan. The proposed amendment adds clarifying language to describe the City's Local Hazard Mitigation Plan (LHMP) and incorporates the latest adopted LHMP by reference into the Safety Element for compliance with State Assembly Bill (AB) 2140. The Circulation Element amendment will remove and realign various roadway segments identified/designated in Exhibit C-3 (Roadway Network) to be consistent with the existing built roadway conditions. The amendments are minor and will not modify General Plan policies of the General Plans. The proposed amendments to the Safety and Circulation Elements are consistent with the following goals and policies of the General Plan:

- **Goal S-6:** A City that responds and recovers in an effective and timely manner from natural disasters such as flooding, fire, and earthquakes, and as a result is not impacted by civil unrest that may occur following a natural disaster.
 - **Policy S-6.1:** Continuously review, update, and implement emergency preparedness, response, and recovery plans that make the best use of the City and county specific emergency management resources available.
- **Goal C-1:** A roadway network that meets the circulation needs of all residents employees, and visitors to the City of Menifee.
 - **Policy 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.
- **Policy 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.

Section 3: *Reasonable controls and standards. 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 amendment to the General Plan prescribes reasonable controls and standards to ensure compatibility with other established uses as the proposed changes to the Safety Element adds language to incorporate the City's current adopted Local Hazard Mitigation Plan (LHMP) by reference into the Safety Element in compliance with State law (AB 2140), and the proposed changes to the Circulation Element are minor "Roadway Network" map amendments to realign, remove and extend roadway classifications at various locations citywide as needed to resolve conflicts and inconsistencies with existing established patterns of development and current built roadway conditions. Further, the amendments do not involve any physical construction and do not change any goal, policy or program of the Safety and Circulation Elements.

Section 4: *Health, Safety, and Welfare. The amendment provides for the protection of the general health, safety and/or welfare of the community.*

The amendments will not result in conditions detrimental to the public health, safety, or general welfare as currently proposed as the proposed changes to the Safety Element adds language to incorporate the City's current adopted Local Hazard Mitigation Plan (LHMP) by reference into the Safety Element in compliance with State law (AB 2140), and the proposed changes to the Circulation Element are minor "Roadway Network" map amendments to realign, remove and extend roadway classifications at various locations citywide as needed to resolve conflicts and inconsistencies with existing established patterns of development and current built roadway conditions. Further, the amendments do not involve any physical construction and do not change any goal, policy or program of the Safety and Circulation Elements.

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 5: *The proposed zone or amendments to this Title provides reasonable property development rights while protecting environmentally sensitive land uses and species.*

The proposed amendment to the General Plan will provide reasonable property

development rights while protecting environmentally sensitive land uses and species as the proposed changes to the Safety Element adds language to incorporate the City's current adopted Local Hazard Mitigation Plan (LHMP) by reference into the Safety Element in compliance with State law (AB 2140), and the proposed changes to the Circulation Element are minor "Roadway Network" map amendments to realign, remove and extend roadway classifications at various locations citywide as needed to resolve conflicts and inconsistencies with existing established patterns of development and current built roadway conditions. Further, the amendments do not involve in any physical construction and do not change any goal, policy or program of the Safety and Circulation Elements, therefore, they will not affect sensitive land uses and species.

Section 6: *Compliance with CEQA. Processing and approval of the permit application are in compliance with the requirements of the California Environmental Quality Act.*

Staff has reviewed the proposed General Plan Amendment in accordance with the CEQA Guidelines and has determined that the General Plan Amendment is exempt pursuant to Section 15061 (b) (3) "Common Sense Exemption" of the CEQA Guidelines, as it can be seen with certainty that there is no possibility that the proposed General Plan amendment will have a significant impact on the environment. This is because the proposed Safety Element amendment simply incorporates by reference the existing adopted Local Hazard Mitigation Plan (LHMP) into the Safety Element as required by State law (AB 2140) and does not change any goal, policy, or program of the Safety Element. In addition, the proposed amendments to Exhibit C-3, Roadway Network of the Circulation Element are minor amendments to resolve inconsistencies with existing patterns of development and to be consistent with existing built roadway conditions. None of the map changes will result in the addition of or construction of a new road not previously approved or built as part of existing entitled development, and will not change any goal, policy, or program of the Circulation Element. Finally, the project will not involve any physical improvements or changes to the environment that could result in impacts to air, water, minerals, flora, ambient noise, and objects of historic or aesthetic significance.

Section 7: That the City Council determine that the "Findings" set out above are true and correct.

Section 8: That the City Council finds the facts presented within the public record and within this City Council Resolution provide the basis to approve General Plan Amendment No. LR23-0013.

Section 9: That the City Council of the City of Menifee hereby approves General Plan Amendment No. LR23-0013.

Section 10: That this Resolution shall take effect upon the date of its adoption.

PASSED, APPROVED AND ADOPTED this 7TH day of June, 2023

Bill Zimmerman, Mayor

Approved as to form:

Jeffrey T. Melching, City Attorney

Attest:

Stephanie Roseen, Acting City Clerk