

RESOLUTION NO. 2022-91

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING A NEGATIVE DECLARATION (ER 2021-01) (SCH NO. 2021080295) FOR PLANNING APPLICATION NO. 2021-18 (GENERAL PLAN AMENDMENT NO. 2021-01)

Whereas, the City of Lake Elsinore prepared a Draft 6th Cycle Housing Element for the 2021-2029 period; and

Whereas, Government Code Section 65302(g)(3), requires the City to review and update the Safety Element as necessary to address the risk of fire for land classified as State Responsibility Areas and land classified as Very High Fire Hazard Severity Zones; and

Whereas, Government Code Section 65302 (h)(1) requires the City to incorporate environmental justice policies into its General Plan; and

Whereas, General Plan Amendment No. 2021-01 ("Project") incorporates the 6th Cycle Housing Element for the 2021-2029 period and appropriate amendments to General Plan Chapter 3.0 addressing the Safety Element and the Environmental Justice Element as required by State law; and

Whereas, the Project is subject to the provisions of the California Environmental Quality Act (Public Resources Code §§ 21000, et seq.: "CEQA") and the State Implementation Guidelines for CEQA (14 California Code of Regulations Sections 15000, et seq.: "CEQA Guidelines") because the Project involves an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and involves the issuance of a lease, permit license, certificate, or other entitlement for use by one or more public agencies (Public Resources Code Section 21065); and

Whereas, pursuant to CEQA Guidelines Section 15063, the City conducted an Initial Study to determine if the Project would have a significant effect on the environment. The Initial Study revealed that the Project will have not have potentially significant environmental impacts; and

Whereas, based upon the results of the Initial Study (Environmental Review No. 2021-01), and based upon the standards set forth in CEQA Guidelines Section 15070, it was determined that it was appropriate to prepare and circulate a Negative Declaration (ND) for the Project; and

Whereas, pursuant to CEQA Guidelines Section 15072, on August 16, 2021, the City duly issued a notice of intent to adopt the ND; and

Whereas, in accordance with CEQA Guidelines Section 15073, the ND was made available for public review and comment for a minimum of 30 days beginning on August 18, 2021, and ending on September 17, 2021; and

Whereas, the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) for adopting NDs; and

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Whereas, on October 5 2021, November 2, 2021 and August 16, 2022 at duly noticed Public Hearings the Commission considered evidence presented by the Community Development Department and other interested parties with respect to this item and on August 16, 2022 the Commission adopted a resolution recommending that the Council adopt the ND for the Project; and

Whereas, on August 23, 2022, at a duly noticed Public Hearing, the Council has considered the recommendation of the Commission as well as evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1: The foregoing recitals are true and correct and are hereby incorporated into these findings by this reference.

Section 2: The Council has evaluated all comments, written and oral, received from persons who have reviewed the ND. The Council hereby finds and determines that all public comments have been addressed.

Section 3: The Council hereby finds that the ND for the Project is adequate and has been completed in accordance with the CEQA Guidelines and the City's procedures for implementation of CEQA. The Council has reviewed and considered the information contained in the ND and finds that the ND represents the independent judgment of the City.

Section 4: The Council further finds and determines that none of the circumstances listed in CEQA Guidelines Section 15073.5 requiring recirculation of the ND are present and that it would be appropriate to adopt the ND as proposed.

Section 5: The Council hereby makes, adopts, and incorporates the following findings regarding the lack of potential environmental impacts of the Project and the analysis and conclusions set forth in the ND:

1. The Project avoids the effects to the environment to a point where clearly no significant effects would occur.

Based upon the Initial Study conducted for the Project, there is substantial evidence that all potential impacts to the environment resulting from the Project are at less than significant levels.

2. There is no substantial evidence, in the light of the whole record before the agency including the initial study and any comments received, that the Project will have significant effect on the environment.

Pursuant to the evidence received, including comment letters, and in the light of the whole record presented, the Project will not have a significant effect on the environment.

Section 6: Based upon the evidence presented and the above findings, the Council hereby adopts ND (ER 2021-01) for Planning Application No. 2021-18 (General Plan Amendment No. 2021-01).

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Section 7: This Resolution shall take effect immediately upon its adoption.

Section 8: The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

Passed and Adopted at a regular meeting of the City Council of the City of Lake Elsinore, California, this 23rd day of August, 2022.

DocuSigned by:

Timothy J. Sheridan

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Timothy J. Sheridan
Mayor

Attest:

DocuSigned by:

CA

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Candice Alvarez, MMC
City Clerk

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss.
CITY OF LAKE ELSINORE)

I, Candice Alvarez, MMC, City Clerk of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2022-91 was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of August 23, 2022, and that the same was adopted by the following vote:

AYES: Council Members Magee, Tisdale, and Manos; Mayor Pro Tem Johnson; and Mayor Sheridan

NOES: None

ABSENT: None

ABSTAIN: None

DocuSigned by:

CA

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Candice Alvarez, MMC
City Clerk