

## **RESOLUTION NO. 2022-92**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, APPROVING 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 6<sup>th</sup> Cycle Housing Element for the period 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**, Government Code Section 65358 empowers the legislative body to amend all or part of an adopted general plan if to do so would be in the public interest and so long as no mandatory element of the general plan is amended more frequently than four (4) times during any calendar year; and

**Whereas**, GPA No. 2021-01 is part of the City's First (1st) Cycle amendments to the Lake Elsinore General Plan for the 2022 calendar year; and

**Whereas**, pursuant to Lake Elsinore Municipal Code (LEMC) Section 17.415.020 (General Plan Amendments), the Planning Commission (Commission) has been delegated with the responsibility of making recommendations to the City Council (Council) pertaining to general plan amendments; and

**Whereas**, on October 5 2021, November 2, 2021, and August 16, 2022 at duly noticed Public Hearings, the Commission considered the evidence presented by the Community Development Department and other interested parties with respect to this item and adopted a resolution recommending Council approval of General Plan Amendment No. 2021-01; 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 AS FOLLOWS:**

**Section 1:** The Council has reviewed and analyzed proposed GPA No. 2021-01 pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan (GP) and the Lake Elsinore Municipal Code (LEMC) and finds that the proposed GPA No. 2021-01 is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the GP and the LEMC.

**Section 2:** That in accordance with California Planning and Zoning Law, and the LEMC, the Council makes the following findings for the approval of GPA No. 2021-01:

1. The proposed GPA, will not be a) detrimental to the health, safety, comfort or general welfare of the persons residing or working within the neighborhood of the proposed amendment or within the City, or b) injurious to the property or improvements in the neighborhood or within the City.
  - a. *The proposed GPA has been analyzed relative to its potential to have detrimental effects; to ensure that the health, safety and welfare of affected residents will be protected.*
  - b. *An objective of the proposed GPA regarding the Safety Element is to address the risk of fire for land classified as State Responsibility Areas and land classified as Very High Fire Hazard Severity Zones and to minimize injury, loss of life property damage resulting from wildland fires.*
  - c. *An objective of the proposed GPA regarding environmental justice is to provide for the fair treatment and meaningful involvement of people of all races, cultures, incomes, and national origins, with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies within Lake Elsinore.*
  - d. *The proposed GPA will not modify the General Plan Land Use designations and will not be injurious to the property or improvements in the City and its Sphere of Influence.*
2. In accordance with the requirements of the California Environmental Quality Act (CEQA), impacts have been reduced to a less than significant level, or in the case where impacts remain, a statement of overriding considerations must be adopted to justify the merits of project implementation.
  - a. *The effects of the proposed GPA have been analyzed in the Negative Declaration (SCH 2021080295) prepared for the Project. No mitigation measures were identified and items on the environmental checklist were determined to be either "No Impact" or "Less than Significant Impact".*

**Section 3:** Based upon the evidence presented, both written and testimonial, and the above findings, the Council hereby approves General Plan Amendment No. 2021-01, plus any additional non-legislative edits made by the Community Development Director or designee as directed by the California Department of Housing and Community Development (HCD), in such form as approved by the City Attorney, after the HCD's review of the Adopted 2021-2029 Housing Element or to correct clerical errors.

**Section 4:** This Resolution shall take effect immediately upon its adoption.

**Section 5:** 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 23<sup>rd</sup> day of August, 2022.

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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. 2022-92 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