



# 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.:** Code Amendment LR23-0017

**Project Location:**

The proposal applies citywide.

**Project Description:**

**Code Amendment LR23-0017** – An amendment to Chapter 9.130.030 of the Development Code (Title 9 of the Meniffee Municipal Code) to add provisions to for by-right review of residential projects with a minimum of 20 percent of the units affordable to lower income households and located on candidate sites identified in the current Housing Element and used in a prior housing element as required to implement Housing Element Program Action 5 and comply with State law.

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

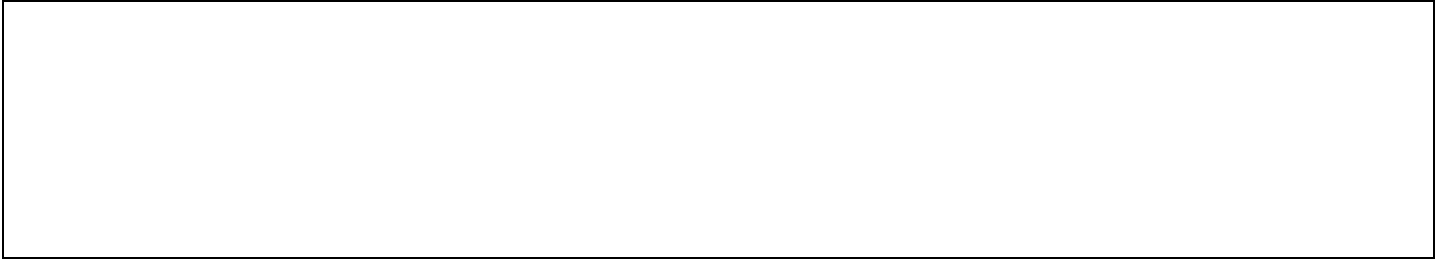
**Project Sponsor:** Doug Darnell, City of Meniffee – [ddarnell@cityofmeniffee.us](mailto:ddarnell@cityofmeniffee.us) or 951.723.3744

**Exempt Status: (Check one)**

- Ministerial (Sec. 21080(b)(1); 15268)
- Declared Emergency (Sec. 21080(b)(3); 15269(a))
- Emergency Project (Sec. 21080(b)(4); 15269 (b)(c))
- Categorical Exemption (15303)
- Statutory Exemption ( )
- Other: (15061.b.3) and (15168.c.2)

**Reasons why project is exempt:** The project is exempt from CEQA 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 amendments will have a significant impact on the environment as follows: 1) the proposed Code Amendment is required to implement Program Action 5 of the City’s adopted 6<sup>th</sup> cycle, 2021-2029 Housing Element and to comply with State law; 2) the Code Amendment involves provisions that only affect the review process (i.e., by-right review) for 20 percent lower income residential projects on certain candidate sites identified in the Housing Element and used in a prior housing element; 3) as required by Government Code section 65583.2(j), such use shall be by-right and shall not require discretionary review that would constitute a “project” as defined in Section 21000 of the Public Resources Code (California Environmental Quality Act “CEQA”); and 4) the proposed Code Amendment implements Program Action 5 of the City’s adopted 6<sup>th</sup> cycle, 2021-2029 Housing Element of the General Plan.

In addition, the proposed amendment is also exempt from CEQA pursuant to California Code of Regulations section 15168 (c) (2), which provides that when an agency adopts a program EIR, it does not need to prepare an additional environmental document for subsequent activities if the activity is within the scope of the program EIR. On December 15, 2021, the City Council adopted Resolution No. 21-1110 adopting the Final Programmatic Environmental Impact Report (“FPEIR”) for the Housing Element Update Project (State Clearinghouse No. 2022010031) (“Project”). Based on data and analysis and findings of the FPEIR, the Project would not directly result in significant adverse environmental impacts. All potential impacts were determined to be less than significant without mitigation or can be reduced to a less than significant level with implementation of the mitigation measures identified in the FPEIR. Additionally, no cumulative significant impacts were identified in the FPEIR based on findings that the Project’s contributions to such impacts are considered not to be cumulatively considerable.



Doug Darnell

*City Contact Person*

(951) 723-3744

*Phone Number*

*Doug Darnell*

*Signature*

Principal Planner

*Title*

4/6/2023

*Date*

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