

## **RESOLUTION NO. 2023-**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE ELSINORE, CALIFORNIA, ADOPTING COUNCIL POLICY NO. 400-16 ESTABLISHING A GOOD NEIGHBOR POLICY FOR WAREHOUSING, LOGISTICS, AND DISTRIBUTION USES WITHIN THE CITY**

**Whereas**, the City of Lake Elsinore (City) recognizes that the construction and operations of larger-scale warehousing, logistics and distribution uses will generate negative impacts to residences and/or other sensitive land uses (“sensitive receptors”) that must be mitigated in order to maintain quality of life; protect public health, safety, and welfare; and ensure orderly development; and,

**Whereas**, sensitive receptors generally include residences, schools, parks, playgrounds, community centers, assisted living, day care centers, nursing homes, hospitals, places of religious assembly, and similar uses; and,

**Whereas**, in order to mitigate negative impacts on sensitive receptors and the environment and to preserve and advance the City Council’s vision as set forth in the City’s General Plan and Dream Extreme 2040 Plan, the City Council desires to adopt a policy to provide a framework for design and operation of larger-scale warehousing, logistics and distribution projects with buildings that are 250,000 square feet in size or larger; and,

**Whereas**, this policy will apply Best Management Practices (BMPs) and development and operational criteria to help minimize potential impacts to sensitive receptors and will be used in addition to applicable requirements of the City’s Zoning Code and the California Environmental Quality Act (CEQA); and,

**Whereas**, this policy is exempt from the California Environmental Quality Act (CEQA) per CEQA Guidelines Section 15061(b)(3) Common Sense Exemption based on the “general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.” The use of this exemption is appropriate if it can be seen with certainty that that there is no possibility that the activity in question may have a significant effect on the environment. This policy will not approve any specific project nor allow any development with the potential to cause a physical environmental impact. The policy itself would only apply to future development and would actually lessen the potential for future physical environmental impacts pursuant to CEQA. Furthermore, as the policy would not result in a direct or reasonably foreseeable indirect physical change to the environment and would ultimately be more protective of the environment, approval of the project itself would not be deemed a “project” for CEQA purposes based on the language under Section 15060(c)(2) of CEQA Guidelines.

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

**Section 1:** The City Council of the City of Lake Elsinore hereby adopts Council Policy No. 400-16 establishing a Good Neighbor Policy for Warehousing, Logistics, and Distribution Uses, attached hereto as Exhibit "A" and incorporated herein by this reference.

**Section 2:** This Resolution shall take effect immediately upon its adoption.

**Section 3:** The City Clerk shall certify to the adoption of this Resolution and enter it into the book of original Resolutions.

**Passed and Adopted** on this 25<sup>th</sup> day of April, 2023.

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Natasha Johnson  
Mayor

**Attest:**

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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. 2023-\_\_\_\_\_ was adopted by the City Council of the City of Lake Elsinore, California, at the regular meeting of February 25, 2023, and that the same was adopted by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Candice Alvarez, MMC  
City Clerk