

RESOLUTION NO. 2018-__

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE, CALIFORNIA, RECOMMENDING AMENDING TITLE 15 OF THE LAKE ELSINORE MUNICIPAL CODE TO ADD CHAPTER 15.78 REGARDING HISTORIC PRESERVATION

Whereas, preservation of important historical resources enhances the quality of life in Lake Elsinore; and

Whereas, there are buildings within the City of Lake Elsinore that are currently listed on the National Register of Historic Places, as California Points of Historical Interest, as Riverside County Historical Landmarks and/or as a Local Historic Landmark; and

Whereas, Section 4.7 of the City of Lake Elsinore General Plan includes goals that assure the recognition of the City's heritage through preservation of the City's significant historical sites and structures and that encourage the preservation, protection, and restoration of historical and cultural resources; and

Whereas, the proposed Chapter 15.78 regarding historic preservation (Historic Preservation Ordinance) which will be added to Title 15 of the Lake Elsinore Municipal Code, includes definitions, procedures and criteria for nomination and designation of historical landmarks; and incentives to encourage owners of historic resources to designate, maintain, preserve, rehabilitate, and improve historic resources; and

Whereas, on December 4, 2018, at a duly noticed public hearing the Planning Commission has considered evidence presented by the Community Development Department and other interested parties with respect to this item.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF LAKE ELSINORE DOES HEREBY RESOLVE, DETERMINE AND RECOMMEND TO THE CITY COUNCIL AS FOLLOWS:

Section 1: The Planning Commission has reviewed and analyzed the proposed amendment of Title 15 of the Lake Elsinore Municipal Code to add Chapter 15.78 regarding Historic Preservation, pursuant to the California Planning and Zoning Laws (Cal. Gov. Code Sec 65000 et. seq.), the Lake Elsinore General Plan and the Lake Elsinore Municipal Code and finds that the proposed Historic Preservation Ordinance is consistent with the requirements of California Planning and Zoning Law and with the goals and policies of the Lake Elsinore General Plan and the Lake Elsinore Municipal Code.

Section 2: The Planning Commission hereby finds and determines that the proposed Historic Preservation Ordinance is exempt from the California Environmental Quality Act (Cal. Publ. Res. Code §§21000 et seq. "CEQA") and the State CEQA Guidelines (14. Cal. Code Regs §§15000 et seq.), specifically pursuant to Section 15308 (Class 8) which exempt actions taken by regulatory agencies as authorized by state law or local ordinance to assure the maintenance, restoration or enhancement or protection of the environment where the regulatory process involves procedures for protection of the environment. As separate and independent grounds, the Planning Commission makes a finding that the amendment of Title 15 is exempt from the application of CEQA by Section 15061(b)(3) (common sense exemption) in that it can be seen with a certainty that there is no possibility that adoption of the Historic Preservation Ordinance may have a

significant effect on the environment. These findings are based on the facts that the State authorizes local agencies to adopt such ordinance, which would further protect an environmental resource subject to protection under CEQA, because it is establishing a process for additional local regulation of historic structures and properties, is not approving any designation, and is making no physical change in the environment.

Section 3: In accordance with Government Code Section 65855, the Planning Commission sets forth the following findings for its recommendation that the City Council amend Title 15 of the Lake Elsinore Municipal Code to add Chapter 15.78 regarding Historic Preservation:

1. The proposed zoning code amendments 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.

The proposed zoning code amendments have been analyzed relative to their potential to have detrimental effects and it has been determined that the amendments have no impact upon the public's health, safety, comfort and general welfare because the Historic Preservation Ordinance's criteria and procedures include public hearing and public notice requirements and requires the owner's consent prior to the designation of any property as a historic landmark.

2. The proposed Historic Preservation Ordinance is consistent with the Goals, Policies and Implementation Programs of the General Plan and the development standards established with the LEMC.

The Historic Preservation Ordinance codifies procedures and criteria for designation of historic resources and districts, as well as the processes and standards for reviewing proposed demolitions, alterations, and additions to historic resources. These procedures and criteria implement the historical preservation goals, policies and implementation programs of Section 4.7 (Historic Preservation) of the General Plan.

Section 4. Based upon the evidence presented, both written and testimonial, and the above findings, the Planning Commission hereby recommends that the City Council approve the amendment of Title 15 of the Lake Elsinore Municipal Code attached hereto as Exhibit "A".

Section 5: This Resolution shall take effect immediately upon its adoption.

Passed and Approved at a regular meeting of the Planning Commission of the City of Lake Elsinore, California, on the 4th day of December, 2018.

Myles Ross, Chairman

ATTEST:

Justin Kirk
Assistant Community Development Director

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

I, Justin Kirk, Assistant Community Development Director of the City of Lake Elsinore, California, do hereby certify that Resolution No. 2018-____ was adopted by the Planning Commission of the City of Lake Elsinore, California, at the regular meeting of December 4, 2018, and that the same was adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Justin Kirk
Assistant Community Development Director