

Exhibit “A”

Article 3: Zones

Chapter 9.135 Commercial and Industrial Zones

Sections:

9.135.030 Allowed Uses and Approval Requirements

- A. **Allowed Use Table.** Table 9.135.030-1 identifies allowed uses and corresponding approval requirements for the commercial and industrial zones subject to compliance with all other provisions of this Title. Descriptions/definitions of many of the land uses can be found in [Article 6](#) of this title (Definitions). The list of land uses on Table 9.135.030 shall be permitted in one or more of commercial and industrial zones as indicated in the columns corresponding to each zone.
- B. **Approval Requirements.** Where indicated with a letter “P” the use shall be a permitted use. A letter “C” indicates the use shall be conditionally permitted subject to the approval of a conditional use permit. Where indicated with a “--,” the use is prohibited within the zone. The Additional Requirements column in the table identifies additional use regulations for specific uses and/or the specific chapter or section where additional regulations for that use type are located within this title, where applicable. Uses for which additional requirements are listed shall be allowed only upon satisfaction of the specified additional requirements. Under no circumstances shall Table 9.135.030-1 authorize a use without satisfaction of such specified additional requirements
- C. **Unlisted Uses.** Uses not specifically listed in this table shall be considered not permitted in all of the listed zones. The Community Development Director may make a determination pursuant to [Chapter 9.95](#) (Similar Use Determination) that new uses not listed here that have substantially similar characteristics to specific listed permitted uses may be considered permitted as the similar use by right, or conditionally as appropriate.

Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements					
	CR	CO	BP	HI	
Adult businesses	--	--	--	--	See Ordinance XX
Airport	--	--	--	C	
Ambulance services	C	C	P	P	
Amusement arcade	P	--	C	--	
Amusement park, (including multiple activities such as simulated flying, racing, mini-golf, etc.)	P		P		
Indoor	C		C		
Outdoor					
Animals, Small (e.g. hamsters, rabbits, chinchillas, and similar sized animals)					
Non-Commercial	P	P	P	P	Chapter 9.235 (Animal Keeping)
Commercial					

Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements					
	CR	CO	BP	HI	
	--	--	--	--	
Animal hospitals and veterinary services (with outdoor facilities)	P C	-- 	P C	C --	
Animal Rescue	--	--	C	C	Chapter 9.235 (Animal Keeping)
Antique shops, pawn shops, thrift stores	P	--	C	--	Outside collection bins prohibited
Art gallery, library, reading room, <u>museum</u> .	P	P	--	--	
Art supply shops and studios.	P	P	P	--	
Auction Houses	P	--	P	--	
Auditoriums, event centers and assembly areas, including <u>live entertainment</u> :					
Indoor	P	C	P	--	
Outdoor	C	--	C	--	
Bakery goods distributors.	P	--	P	P	
Bakery shops, Coffeehouse, Cybercafé, Delicatessens, Ice cream shops	P	P	P	--	
Banks and financial institutions.	P	P	P	--	
Banquet facilities.	C	--	C	--	
Batting cages – indoor	P	--	C	--	
Outdoor	C	--	C	--	
Billiard and pool halls, Bowling <u>alleys</u>	P	--	P	--	Chapter 9.250 (Alcohol Sales)
Breweries, distilleries, and wine making facilities with on-site tasting room and sales for <u>off-site</u> consumption	C	--	P	--	Chapter 9.250 (Alcohol Sales)
Business services	P	P	P	--	
Car washes	P	--	C		
<u>Caretaker residence</u> or on-site operator residence, only as accessory to <u>primary use</u>	C	C	C	C	
Catering services	P	--	P	--	
Cemeteries and mausoleums	--	--	C	C	
<u>Clinics</u> , including but not limited to medical and urgent care	C	C	C	--	
Collection Containers	--	--	--	--	
Commercial television and radio broadcast <u>structures</u>	--	--	--	P	
Concrete batch plants and asphalt plants	--	--	--	C	
<u>Congregate care facility</u>	--	C	C	--	Chapter 9.270 (Community Care Facilities)
Contractor, landscape and building materials storage <u>yard</u>	--	--	C	C	
Convenience stores, not including the sale of <u>motor vehicle</u> fuel	P	--	P	--	
Dance Halls, night clubs, discos, cabarets, cocktail lounges, lodges and incidental dancing areas, and similar facilities where dancing is the principal <u>use</u>	C	--	C	--	Chapter 9.250 (Alcohol Sales)
Day Care Center	P	C	C	--	Chapter 9.270 (Community Care Facilities)
Department stores	P	--	P	--	
Drug Store	P	P	--	--	
Dry cleaning and laundromats (except uniform supply and <u>industrial</u> laundrers);	P	C	C	--	

Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements					
	CR	CO	BP	HI	
<u>Educational Institution</u>	C	C	C	C	
<u>Emergency shelters</u>	--	--	--	P	In locations specified in the Housing Element
Battery Energy Storage Facility, Utility Scale	--	--	C	C	Chapter 9.297 (Energy Storage Facilities)
Equipment sales and rental, Large (including large vehicles, trucks with beds over 18 feet in length, eighteen plus (18+) wheelers, and construction equipment)	--	--	--	C	
Equipment sales and rental, Small (including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding 20 cubic feet in capacity and other similar equipment)	P	--	C	C	
Fast food/quick service, with <u>drive-through</u>	C	C	C	--	
Fast food/quick service, without <u>drive-through</u>	P	P	P	--	
Feed and grain sales	C	--	--	P	
Fertilizer production and <u>processing</u> (organic or inorganic)	--	--	--	C	
Funeral parlor, mortuary with crematorium	--	C	C	--	
Funeral parlor, mortuary without crematorium	P	C	C	--	
Gas station with/without <u>convenience store</u> , with or without <u>alcoholic beverage sales</u> , and with or without car wash	C	--	C	C	
General retail	P	--	--	--	
General warehousing, distribution centers, and storage (except noxious, explosives, or dangerous materials)	--	--	P	P	
Golf Course	--	--	--	--	
<u>Golf driving range</u> (not in association with full scale course)	C	--	C	--	
Governmental facility	P	P	P	P	
Grocery Store	P	--	--	--	Chapter 9.250 (Alcohol Sales)
Hardware and <u>Building Supplies</u> without <u>outdoor sales/storage</u>	P	--	P	P	
with <u>outdoor sales/storage</u>	C	--	C	C	
Health, fitness, dance, martial arts studio <5,000 sq.ft. >5,000 sq.ft.	P C	C C	P C	--	
Heliports	--	--	C	C	
<u>Hospital</u>	C	C	--	--	
<u>Hotels</u> and resort <u>hotels</u>	P	C	C	--	
<u>Kennel</u> or <u>cattery</u>	--	--	C	C	Chapter 9.235 (Animal Keeping)
Laboratories, research and <u>development</u>	P	P	P	--	
Live/work units	C	C	C	--	
Lumber <u>yard</u>	--	--	--	C	
<u>Manufacturing</u> , Handcraft	P	P	P	P	
<u>Manufacturing</u> , Light-Intensity	--	C	P	P	
<u>Manufacturing</u> , Medium-Intensity	--	C	C	P	
<u>Manufacturing</u> , Heavy-Intensity	--	--	--	P	
<u>Marijuana dispensaries</u> , <u>mobile marijuana dispensaries</u> , <u>marijuana cultivation</u> , and <u>marijuana processing</u>	--	--	--	--	

Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements					
	CR	CO	BP	HI	
Massage Establishment	C	C	--	--	
Material storage <u>yard</u>	--	--	C	P	
<u>Membership clubs</u> , organizations, and lounges	C	C	C	--	
<u>Mobile home</u> sales and storage, trailer sales and rental house trailers	C	--	C	C	
<u>Motels</u>	C	--	--	--	
Motocross Facilities, Bicycle (BMX) course	--	--	--	--	
<u>Motor vehicle</u> body, paint and upholstery shops	C	--	C	P	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Motor vehicle</u> parts and supply stores	P	--	C	--	
<u>Motor vehicle</u> repair/services (e.g. tune-ups, <u>emission</u> tests, brakes, tires, batteries, electrical)	P	--	C	P	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Motor vehicle</u> repairs/services - major (e.g., engine and transmission repair/rebuild, etc.)	--	--	C	P	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Motor vehicle</u> sales and rental (including outdoor display area and repairs associated with sales)	C	--	C	--	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Motor vehicle</u> wholesale, with no outdoor display	P	P	P	P	
<u>Motor vehicle</u> impound, wrecking and <u>junk yards</u>	--	--	--	C	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Motor vehicle</u> , trailer or boat storage	--	--	C (indoor only)	C	Chapter 9.240 (Motor Vehicle and Related Uses)
Nurseries and garden supply, indoor and outdoor (<u>retail sales</u> only)	P	--	--	P	Does not include cultivation of <u>marijuana</u> /cannabis.
Offices, professional and medical	P	P	P	--	
<u>Parking lots</u> and parking <u>structures</u>	P	P	P	P	
<u>Personal and Professional Services</u>	P	--	P	--	
<u>Public utility</u> substations and storage <u>buildings</u>	--	--	--	P	
Radio and television broadcasting and recording studios	P	--	P	--	
<u>Recreational vehicle</u> , trailer and <u>mobile home</u> sales and rental.	C	--	C	C	Chapter 9.240 (Motor Vehicle and Related Uses)
<u>Recycling collection facilities</u>	C	--	C	C	Chapter 9.280 (Recycling Facilities)
<u>Recycling processing facilities</u>	--	--	C	C	Chapter 9.280 (Recycling Facilities)
Religious institutions	P	P	P	P	
<u>Restaurant</u>	P	P	P	P	Chapter 9.250 (Alcohol sales)
<u>Residential care facility</u>	--	C	--	--	Chapter 9.270 (Community Care Facilities)
<u>Restaurants</u> with breweries, distilleries and/or wine making facilities with sales for on-site and <u>off-site</u> consumption	C	C	C	C	Chapter 9.250 (Alcohol sales)

Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements					
	CR	CO	BP	HI	
Self-Storage, public storage facilities	C	--	C	P	
Shooting range; Indoor	--	--	C	--	
Shooting range; Outdoor	--	--	--	--	
Simulated shooting games, Indoor (laser tag, etc.)	C	--	C	--	
Simulated shooting games, Outdoor (paintball, etc.)	--	--	--	--	
Solid Waste Disposal	--	--	--	C	
Specialized Retail	P	--	P	--	
Sports and recreational facilities (not including motor driven vehicles and riding academies, but including archery ranges, athletic playgrounds, athletic fields, sports arenas, skating rinks, skate <u>parks</u> stadiums, and commercial swimming pools)					
Indoor	P	--	C	--	
Outdoor	C	--	C	--	
Studios for professional work in or teaching of any form of fine arts	P	C	P	--	
Swap Meets (Indoor only)	C	--	--	C	All activities must be conducted indoors.
Tattoo Establishments	C	C	C	--	Chapter 9.265 (Tattoo Establishments)
Theater	C	--	C	--	
Tourist information centers	P	P	P	--	
Towing services (with tow truck parking - no auto storage)	--	--	P	P	
Towing services (with tow truck parking and auto storage)	--	--	--	C	
Transportation Stations (bus, railroad and taxi)	P	P	P	P	
Trucking and freighting operations	--	--	--	C	
Uniform supplier and <u>industrial</u> launderers	--	--	C	P	
Utility offices, uses, and <u>structures</u>	P	P	P	P	
Vehicle storage and impoundment within an enclosed <u>building</u>	--	--	P	P	
Vocational/trade <u>school</u> ;	C	--	P	C	
<u>Warehouse</u> /club store, Standalone facility 50,000 sq. ft. or larger	C	--	C	--	
Wholesale businesses with samples on the <u>premises</u> but not including storage	P	--	P	--	
Wholesale stores and distributors	--	--	C	--	
<u>Wireless Communication Facilities</u>	C	C	C	C	Chapter 9.290 (Wireless Communications Facilities)

Article 5: Special Use Standards

Chapter 9.297 Energy Storage Facilities

Contents:

9.297.010 Purpose

9.297.020 Classification of Energy Storage Facilities

9.297.030 Applicability

9.297.040 Development Standards

9.297.050 Decommissioning

9.297.060 Performance Measures and Standard Conditions of Approval

9.297.070 Finding of Economic Benefit; Public Benefit Agreement; Exempt Projects

9.297.010 Purpose

Energy Storage Facility regulations are adopted with the intent of advancing and protecting the public health, safety, and welfare of the City of Menifee by establishing regulations for the installation and use of energy storage systems. The regulation herein are intended to protect the health, welfare, safety, and quality of life for the general public, to ensure compatible land uses in the areas affected by energy storage facilities and to mitigate the impacts of energy storage facilities on the environment.

9.297.020 Classification of Energy Storage Facilities

The following words and phrases shall, for the purposes of this chapter, have the meanings respectively ascribed to them by this section, as follows:

1. Battery: A single cell, stack, core building block, or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this chapter, batteries utilized in consumer products are excluded from these requirements.
2. Battery Management System: An electronic system that prevents storage batteries from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. The system generates an alarm and trouble signal for abnormal conditions
3. Battery Energy Storage System: A system consisting of electrochemical, kinetic, thermal, or other form of energy-storage technology storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.
4. Cell: The basic electrochemical unit, characterized by an anode and a cathode, used to receive, store, and deliver electrical energy.

5. Commissioning: A systematic process that provides documented confirmation that a battery energy storage system functions according to the intended design criteria and complies with applicable code requirements.

6. Decommissioning Plan: A plan to retire the physical facilities of the Project, including decontamination, dismantlement, rehabilitation, landscaping and monitoring. The plan contains detailed information on the proposed decommissioning and covers the schedule, type and sequence of decommissioning activities; waste management, storage and disposal of the waste from decommissioning; the timeframe for decommissioning and site rehabilitation.

7. Energy Storage System: A system which stores energy and releases it in the same form as was input.

9.297.030 Applicability

The requirements of this ordinance shall apply to all utility-scale battery energy storage facilities permitted, installed, or modified after the effective date of this ordinance, excluding general maintenance and repair. Utility-scale battery energy storage systems constructed or installed prior to the effective date of this ordinance shall not be required to meet the requirements of this chapter. Modifications to, retrofits or replacements of an existing battery energy storage facility that increases the total energy storage system designed discharge duration or power rating shall be subject to this chapter. The continuation of legally established existing utility-scale battery energy storage systems shall be subject to the regulations and guidelines of Chapter 9.15 Nonconforming Uses and Structures of the City of Menifee Municipal Code.

9.297.040 Development Standards

1. Energy storage facilities must meet all applicable standards of the adopted Building and Safety Codes and of the adopted Fire Codes.

2. Energy storage facilities shall comply with the site design requirements set forth below in addition to all other applicable chapters of the City of Menifee Municipal Code:

a. Where visible from public view, the site shall be fully enclosed by a minimum six-foot, non-scalable solid wall. Where not visible from public view, the site shall be enclosed by a minimum six-foot, non-scalable solid wall or tubular steel or wrought iron fencing. Said wall or fencing shall be located outside of the required yard of the applicable zone. Walls shall consist of either decorative concrete masonry block or decorative concrete tilt-up walls. Decorative masonry block means neutral colored slump stone block, split-face block, or precision block with a stucco, plaster, or cultured stone finish. Decorative concrete tilt-up wall means concrete with a combination of paint and raised patterns, reveals, and/or trim lines.

When sound and visual attenuation requires a wall exceeding 6 feet above the grade of the adjacent roadway, earth mounds shall be used, such that no more than 6 feet of the wall is visible from the roadway. The mounds shall not exceed a three-to-one (3:1) ratio slope. The mounds may support the wall or be placed against the wall on the street side.

Maximum wall heights shall comply with Section 9.185.040(g) ("Maximum Heights") of this Title.

b. No landscaping is required on the interior side of the screen walls described in subparagraph (a), above, regardless of the percentage of open space landscaped required.

The minimum required open space, as required by this Title, shall be limited to the perimeter landscaping surrounding the perimeter screening wall or fencing described in subparagraph (a), above. Said perimeter landscaping shall be no less than the applicable required yard setbacks.

c. Solid walls surrounding facilities which are below grade of an adjacent street or property shall incorporate a berm/slope along the entire length of the wall to ensure facilities are not visible from public view.

d. Anti-graffiti coating or equivalent measure to prevent graffiti shall be provided for all solid screen walls.

e. Except as set forth in subparagraph (f), no equipment or appurtenances not in an enclosed structure shall exceed the screen wall height described in subparagraph (a), above, unless it can be demonstrated through a line-of-sight analysis to the satisfaction of the approval body that the wall height will sufficiently screen said equipment and/or appurtenances. Enclosures for batteries and other systems shall not exceed fifteen feet in height.

f. Accessory structures such as utility poles or utility connection equipment, substation switchyard and similar equipment, necessary for the operation of the facility may exceed the height standards of the applicable zone subject to Planning Commission approval.

g. Within the Business Park (BP) zone, all equipment or appurtenances shall be located within an enclosed building. However, accessory structures such as utility poles or utility connection equipment substation switchyard, and similar equipment, necessary for the operation of the facility is not required to be located within the enclosed building.

h. On-site parking shall be provided as specified below:

i. For sites occupied daily by employees or contractors, one parking space per employee or contractor shall be provided.

ii. For unoccupied sites, one on-site parking space shall be provided.

iii. All parking, fire access roadway, and drive aisles shall be paved with asphalt or concrete.

iv. All parking lots shall comply with Section 9.215, Parking and Loading Standards.

vi. All facilities shall have an approved signage plan including safety signage to be posted at the site.

i. All improvements and site specifications shall be subject to approval of a Hazard Mitigation Analysis. Said reports shall be reviewed by the City of Menifee Fire Department and Building and Safety Departments. These reports must be approved concurrent with any entitlements. The purpose of this analysis is to evaluate the potential for adverse effects to people or the environment related to hazards and hazardous materials. The California Environmental Quality Act (CEQA) requires the analysis of potential adverse effects of a project on the environment. Consistent with Appendix G of the CEQA Guidelines, a proposed project would cause adverse impacts related to hazards and hazardous materials if they would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

9.297.050 Decommissioning

1. Decommissioning Plan. Prior to issuance of any permits related to decommissioning activities, the applicant shall submit a decommissioning plan containing a narrative description of the activities to be accomplished for removing the energy storage system from service, and from the facility in which it is located. The decommissioning plan shall also include:

a. A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all battery energy storage system components, structures, equipment, security barriers, and transmission lines from the site;

b. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations;

c. The anticipated life of the battery energy storage system;

d. The manner in which the battery energy storage system will be decommissioned, and the Site restored, including a description of how any changes to the surrounding areas and other systems adjacent to the battery energy storage system, such as, but not limited to, structural elements, building penetrations, means of egress, and required fire detection suppression systems, will be protected during decommissioning and confirmed as being acceptable after the system is removed; and

e. A listing of any contingencies for removing an intact operational energy storage system from service, and for removing an energy storage system from service that has been damaged by a fire or other event.

2. Ownership Changes. If the owner of the battery energy storage facility changes or the owner of the property changes, the project approvals shall remain in effect, provided that the successor owner or operator assumes in writing all the obligations of the project, site plan approval, and decommissioning plan. A new owner or operator of the battery energy storage facility shall notify the Community Development Department of such change in ownership or operator within 30 days of the ownership change. A new owner or operator must provide such

notification to the Community Development Department in writing. The project and all approvals for the battery energy storage facilities would be void if a new owner or operator fails to provide written notification to the Community Development Department in the required timeframe. Reinstatement of a voided project or approvals will be subject to the same review and approval processes for new applications under this chapter.

9.297.060 Performance Measures and Standard Conditions of Approval

The following measures shall be included as performance measures and standard conditions of approval for all energy storage facilities.

- a. Facilities shall not store any products, goods, materials, or containers outside of any building on-site.
- b. Facilities shall comply with Chapter 9.210 Noise Control Regulations of the City of Menifee Municipal Code.
- c. Operators shall address any nuisance, safety issues or violations of conditions of approval within forty-eight hours of being notified by the city that an issue exists.
- d. Prior to the issuance of a Certificate of Occupancy or Business License, any operator of an energy storage facility shall sign a statement acknowledging acceptance of all operational conditions of approval associated with the approved entitlements for the facility.

9.297.070 Finding of Economic Benefit; Public Benefit Agreement; Exempt Projects

1. Consistent with Public Resources Code section 25545.9, and in addition to all other findings and determinations necessary for the grant of a conditional use permit, no conditional use permit for an Battery Energy Storage Facility, Utility Scale shall be granted unless the City finds that the construction and operation of the facility will have an overall net positive economic benefit to the City. For purposes of this sub-section, economic benefits may include, but are not limited to, any of the following:

- a. Employment growth.
- b. Housing development.
- c. Infrastructure and environmental improvements.
- d. Assistance to public schools and education.
- e. Assistance to public safety agencies and departments.
- f. Property taxes and sales and use tax revenues.

2. Consistent with Public Resources Code section 24454.10, no conditional use permit for an Battery Energy Storage Facility, Utility Scale shall be granted unless the City has entered into a legally binding and enforceable agreement with, or that benefits, the City, where there is mutual

benefit to the parties to the agreement. The topics and specific terms of the community benefits agreements may vary and may include funding for or providing specific community improvements or amenities such as park and playground equipment, urban greening, enhanced safety crossings, and paving roads and bike paths.

3. The City of Menifee finds and declares that, where an Battery Energy Storage Facility, Utility Scale is issued a certificate pursuant to Chapter 6.2 (commencing with Section 25545) of Division 15 of the Public Resources Code, and where such certificate is in lieu of a conditional use permit or other permit, certificate, or document required by the City, a community benefit agreement in the form described in subdivision (2), above, shall satisfy the obligations on Public Resources Code section 24454.10.

Article 6: Definitions

Chapter 9.300 Universal Definitions

Sections:

9.300.030 “B” Definitions

Balcony. A platform that projects from the wall of a building, typically above the first level, and is surrounded by a rail, balustrade or parapet.

Bar. Premises used primarily for the dispensing of alcoholic beverages by the drink for on-site consumption.

Battery: A single cell, stack, core building block, or a group of cells connected together electrically in series, in parallel, or a combination of both, which can charge, discharge, and store energy electrochemically. For the purposes of this chapter, batteries utilized in consumer products are excluded from these requirements.

Battery Management System: An electronic system that prevents storage batteries from operating outside their safe operating parameters and disconnects electrical power to the energy storage system or places it in a safe condition if potentially hazardous temperatures or other conditions are detected. The system generates an alarm and trouble signal for abnormal conditions

Battery Energy Storage Systems. A system consisting of electrochemical storage batteries, battery chargers, controls, power conditioning systems and associated electrical equipment, assembled together, capable of storing energy in order to supply electrical energy at a future time, not to include a stand-alone 12-volt car battery or an electric motor vehicle.

Battery Energy Storage Facility, Utility Scale. Stationary batteries that are connected to distribution/transmission networks or power-generation assets. Utility scale may also be referred to as “front-of-the-meter”, large-scale or grid-scale battery storage. Utility Scale systems are intended primarily to interact with the electric grid and are not intended to serve a specific end user “behind-the-meter”. Utility-scale systems increase flexibility in power systems, provide grid reliability support and enable an optimal use of variable electricity sources like photovoltaic and wind.

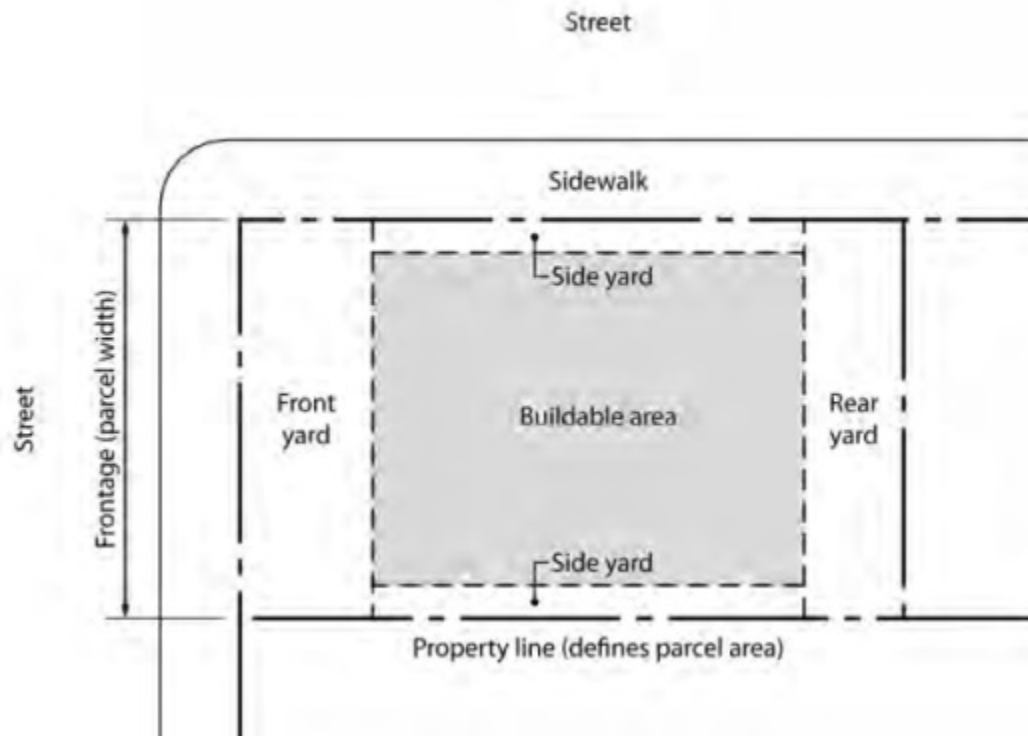
Bed and Breakfast. A business operated in an owner-occupied residence offering short-term rental of overnight accommodations, which provides on-site breakfast service.

Bedroom. A private room for sleeping, separated from other rooms, and accessible to a bathroom without crossing another bedroom.

Berm. A mound of earth or the act of pushing earth into a mound.

Buffer Area. A strip of land established to protect one type of land use from another land use. A buffer may include a physical separation in the form of a specified distance, landscaping, berms or other screens which block vision, noise or other negative impacts.

Buildable Area/Building Envelope. The area of a lot remaining after the minimum setback and open space requirements have been met; the area within which primary and accessory structures may be located, unless an encroachment into the setback is otherwise permitted.



Building. Any structure having a roof, or fully enclosed by walls, and intended for the shelter, housing or enclosure of persons, animals or property.

Building, Accessory. See *Structure, Accessory*.

Building Height. Building height shall be measured in accordance with Section in [9.195.040.A](#) (Height Measurement).

Building Permit. Written permission issued by the City for the construction, repair, alteration or addition to a structure or building.

Building, Primary. A building in which the principal use is conducted.

Business Services. Rendering services to business establishments on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, office-related equipment rental and leasing, commercial research, development and testing, photo finishing and model building.

Sections:

9.300.050 “D” Definitions

Day Care Centers. Establishments providing nonmedical care for persons on a less than 24-hour basis other than in a family day care home (see *Family Day Care Home*). This classification includes nursery schools, preschools, and day-care facilities for children or adults, and any other day-care facility licensed by the State of California.

Days. Shall always be consecutive calendar days, unless otherwise stated.

Decommissioning Plan: A plan to retire the physical facilities of the Project, including decontamination, dismantlement, rehabilitation, landscaping and monitoring. The plan contains

detailed information on the proposed decommissioning and covers the schedule, type and sequence of decommissioning activities; waste management, storage and disposal of the waste from decommissioning; the timeframe for decommissioning and site rehabilitation.

Dedication. The transfer of property, such as streets and roads or other public usage, to a public agency or utility for specific purposes.

Density. The number of dwelling units, households or housing structures per unit of land.

Density Transfer. The transfer of all or part of the permitted density from one parcel to another parcel.

Detached. Any building or structure that does not have a wall or roof in common with any other building or structure.

Developer. The legal or beneficial owner or owners of property to be developed or being developed, including the holder of an option or contract to purchase or other person(s) having enforceable proprietary interests in such property.

Development. Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, or storage of equipment or materials.

Development Agreement. A contract between the City and a developer through which the developer receives vested rights to construct a project subject to specific requirements benefiting the community.

Development Code. A set of land use regulations, as contained in Title 9 of the Menifee Municipal Code, adopted by the City which prescribes standards and regulations for land use and development.

Development Rights. The legally established right to develop land by a party.

Director. The Community Development Director of the City of Menifee or his/her designee.

Discretionary Decision. An action taken by a governmental agency that calls for the exercise of judgment in deciding whether to approve and/or how to carry out a project.

District. A zone or geographic area in the municipality within which certain zoning or development regulations apply.

Drainage. Surface water runoff; the removal of surface water or groundwater from land by drains, grading or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.

Drainage Area. A geographical area, formed by topography, which collects and directs surface runoff from precipitation to natural or man-made channels.

Drive-through. Any portion of a building or development intended to allow service direct from the building through a window, kiosk or automated delivery system to vehicle occupants. Such facilities include but are not limited to food service windows, automatic teller machines or similar service systems.

Driveway. A roadway providing direct access for vehicles between a street or highway and an area containing parking spaces, loading, storage or refuse collection areas.

Dwelling. A structure or portion thereof which is used for human habitation, including provision for living, sleeping, eating, cooking and sanitation.

Single Family, Attached. A dwelling unit designed for occupancy by one household, located on a single lot and typically grouped together with similar units. They may be attached through vertical party wall(s) to one or more dwellings on abutting lots or may be joined by carports or garages.

Single Family, Detached. A dwelling unit designed for occupancy by one household and located on a separate lot from any other dwelling, except permitted accessory dwelling units. This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code

Duplex. A single building on a lot that contains two dwelling units or two single-unit dwellings on the same lot. Duplex does not include a single family dwelling with an accessory dwelling unit on the same lot, which is an accessory residential unit as defined by State law and this Title (see Accessory Dwelling Unit).

Multiple Family. A single building on a lot that contains three or more dwelling units or three or more single-unit dwellings on the same lot, or any combination thereof.

Menifee North Specific Plan No. 260, Amendment 3

ORDINANCE NO. 348.4581

AN ORDINANCE OF THE COUNTY OF RIVERSIDE AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside ordains as follows:

Section 1. Article XVIIa, Section 17. 73 of Ordinance No. 348 is amended in its entirety to read as follows:

SECTION 17.73 S.P. ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 260.

- a. Planning Areas 2 and 3.
 1. The uses permitted in Planning Areas 2 and 3 of Specific Plan No. 260 shall be the same as those uses permitted in Article XII, Section 12.2 of Ordinance No. 348, in addition Utility-Scale Battery Energy Storage Systems are permitted subject to Chapter 9.297 of the City of Menifee Municipal Code.
 2. The development standards for Planning Areas 2 and 3 of Specific Plan No. 260 shall be the same as those standards identified in Article XII, Section 12.4 of Ordinance No. 348. However, the development standards of Chapter 9.297 shall apply to Utility-Scale Battery Energy Storage System uses.
 3. Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article XII of Ordinance No. 348.