



CITY OF MENIFEE

SUBJECT: Ordinance Introduction for an Amendment to Title 9 of the Meniffee Municipal Code, the Development Code

MEETING DATE: August 17, 2022

TO: Mayor and City Council

PREPARED BY: Doug Darnell, Senior Planner

REVIEWED BY: Cheryl Kitzerow, Community Development Director

APPROVED BY: Armando G. Villa, City Manager

RECOMMENDED ACTION

1. Introduce an Ordinance approving Code Amendment No. LR22-0140, amending several chapters of the development code (Title 9 of the Meniffee Municipal Code) to include minor technical corrections, clarifying language, amendments for General Plan consistency, and changes to parking requirements for industrial and warehouse/distribution facility uses.

DISCUSSION

Background

On December 1, 2009, the City Council adopted Ordinance 2009-66, which established Riverside County Zoning Ordinance No. 348 as the City's zoning ordinance to be effective until such time when it is repealed, amended, or replaced by the City's own ordinances adopted by the City Council.

On December 4, 2019, the City Council adopted Ordinance No. 2019-289, approving a Comprehensive Development Code Update ("CDCU") that established City of Meniffee's specific zoning regulations to replace County Ordinance No. 348. The goal was to create user-friendly regulations tailored to the City of Meniffee that would effectively assist the City and applicants to achieve the vision, goals, and objectives of the 2013 General Plan, while establishing clear procedures for the review and processing of development projects in the City.

Since the adoption of the Development Code, the Community Development staff has had time to implement and apply the Development Code to the review of development proposals. In doing so, staff has identified areas of the Code where improvements are needed related to technical and grammatical corrections, amending language to simplify and provide more clarity, and for consistency with General Plan goals and policies. In some instances, certain standards have had unintended consequences that do not reasonably facilitate development as anticipated, and revisions to the standards are needed and appropriate.

At the July 13, 2022, Planning Commission meeting, the Planning Commission voted unanimously to adopt Resolution No. PC22-566 recommending that the City Council adopt the proposed ordinance.

This proposed City initiated Development Code amendment is intended to be a general clean-up amendment to various chapters of the Development Code. While most of the proposed amendments are minor in nature, the most substantial amendments involve changes to requirements of Chapter 9.215 – Parking and Loading Standards as described below:

1. Industrial and Warehouse/Distribution Parking Requirements

The City Council recently adopted Ordinance No. 2022-337 on March 16, 2022, amending the Development Code definitions of Manufacturing, Warehousing, Logistics/Distribution, and Fulfillment Centers, and adding a new definition for “Research and Development” to provide clear and up-to-date descriptions for each.

The City has experienced an increased interest in warehouse industrial development proposals within the Economic Development Corridor – North Gateway (EDC-NG) area with proposed warehouse development applications currently under review. As a result, staff has recently become aware that the City’s current Warehouse parking standard is one of the most restrictive among the jurisdictions in the region. Warehouse developers currently working with the City have also expressed concerns with the City’s current standard. To address this concern, staff researched the warehouse logistics/distribution parking standards of 26 other jurisdictions in the region to determine if a revision in the parking standard is needed and if so, how much of a reduction would be appropriate. Through various project scenario calculations, staff proposes a reduced parking requirement based on a sliding scale like what is utilized in other jurisdictions and considered reasonable and appropriate for Menifee. For the initial 100,000 square feet, the requirement is 1 space per 1,000 square feet the same as the current requirement; however, for larger facilities above 100,000 square feet, the number of required spaces is reduced to 1 space per 1,500 square feet, and where over 500,000 square feet, the number of required spaces is further reduced to 1 space per 2,000 square feet of floor area. Parking at a ratio of 1 space per 300 square feet of office area is required in addition to the above.

Other amendments to the Industrial Parking standards include deletion of the “Manufacturing” use in Table 9.215.040-1 to be replaced with the “Research and Development” use since manufacturing is also covered in the “Industrial uses” category, which requires 1 space per 500 square feet of fabrication area (i.e., manufacturing). For the new Research and Development category, a parking requirement of 1 space per 300 square feet of gross floor area is proposed, which aligns with the commonly applied Research and Development use standard of other jurisdictions in the region.

Proposed amendments to the parking requirements for Industrial Uses section of Table 9.220.040-1 Parking Requirements are shown below on the following page:

Table 9.215.040-1 Parking Requirements				
Use	Per Square Foot or Unit	Per Employee or Student	Other Criteria	For Vehicle Stacking
Industrial Uses				
Industrial uses	1 space per 250 sq. ft. of office area, PLUS 1 space per 500 sq. ft. of fabrication area, PLUS 1 space per 1,000 sq. ft. of storage area, AND 1 space per 500 sq. ft. of floor plan which is uncommitted to any type of use			
Manufacturing or repair plants maintaining more than 1 shift of workers <u>Research and development</u>	1 space per 2,000 sq. ft. of gross floor area <u>1 space per 300 sq. ft. of gross floor area</u>			
Warehouse, Logistics, <u>and distribution facility used exclusively for storage</u>	1 space per 1,000 sq. ft. of gross floor area of warehouse, plus 1 space per 300 sq. ft. office use <u>1 space per 1,000 sq. ft. of gross floor area for the first 100,000 sq. ft.; 1 space per 1,500 sq. ft. for any additional gross floor area between 100,000 to 500,000 sq. ft.; 1 space per 2,000 sq. ft. of additional gross floor area over 500,000 sq. ft.; plus 1 space per 300 sq. ft. of office use</u>		<u>Fulfillment center subject to parking study</u>	

- 2. Parking Conditions and Exceptions.** To comply with State law, Section 9.215.040.A, Conditions and Exceptions is amended to add the following provision related to electric vehicle charging stations (EVCS):

“The total number of required parking spaces may be reduced by the amount necessary to accommodate electric vehicle charging stations (EVCS), if the EVCS and associated equipment interferes with, reduces, eliminates, or in any way impacts the required parking spaces for existing uses (for additional EVCS provisions, see Section 9.220.100 Electric/Alternative Fuel Vehicle Parking).”

3. Alternative Programs for Parking

Section 9.215.07 - Alternative Programs for Parking is amended to add four alternative programs for parking that offer limited reductions in minimum parking requirements as an incentive to developers that go above and beyond the minimum requirements in other areas as follows:

- Commercial and industrial projects that provide roadway improvements and/or dedications above and beyond those required by code may be eligible for up to a 5 percent reduction in required parking.
- Developments involving lot consolidation and the elimination of existing legal non-conforming uses, structures, and properties involving a minimum of 5 gross acres may be eligible for up to a 5 percent reduction in required parking.
- Commercial and industrial development providing solar photovoltaic (PV) system or acquiring renewable energy from a local utility sufficient to power 100 percent of the facility may be eligible for up to a 5 percent reduction in required parking.
- Industrial developments that provide additional front yard landscaping beyond the first 25 feet may be eligible for reductions in required parking as follows:
 - 1 percent for additional 5 feet
 - 2 percent for additional 10 feet
 - 5 percent for additional 15 feet

For use of multiple programs, parking reductions may be combined for maximum reduction of 15 percent total. These added programs will provide greater options and flexibility in parking required for larger industrial and commercial development where a substantial number of parking stalls would be required.

In addition to the above, below is a summary of all Zoning Code Chapters being amended and a brief description of amendments for each Chapter:

- **Chapter 9.15 Nonconforming Uses and Structures**
 - Minor technical corrections changing “Building Inspector” and “Tax Assessor” references to “Community Development Director.”

- **Chapter 9.30 Common Application Processing Procedures**
 - Minor technical corrections to insert text “such as”; and replacing reference to “original approving authority” with more specific reference to the “Planning Commission” to provide more clarity.
- **Chapter 9.105 Temporary Use Permit**
 - Corrected spelling of the word “accommodate”, and grammatical fix to remove the duplicate word “sales.”
- **Chapter 9.135 Commercial and Industrial Zones**
 - Insert text “Chapter 9.240 (Motor Vehicle and Related Uses)” to Table 9.135.030-1 Commercial and Industrial Zones – Allowed Uses and Approval Requirements.
 - Related to street setbacks, a footnote was added to Table 9.135.040-1 Commercial and Industrial Zones – Development Standards for Developments within Planning Shopping Centers for Industrial Parks, to clarify roadway classifications consistent with the General Plan Circulation Element.
- **Chapter 9.140 Economic Development Corridor Zones**
 - Minor General Plan consistency amendment related to remove references to residential percentages of the General Plan.
- **Chapter 9.165 Accessory Structures**
 - Table 9.165.030.1 Accessory Structures Setbacks is amended to change the Accessory Dwelling Unit side and rear yard setbacks to 4 feet consistent with State law, which limits the side and rear setback a local jurisdiction can require for an ADU to 4 feet. Footnotes are added to the table to clarify the setbacks for corner (street) side yards and to reference Chapter 9.295 Special Housing Types and 9.35 Accessory Dwelling Units for additional requirements for ADUs.
 - Minor technical correction to remove “subsection” and insert text “Section A.3” and “of” to provide more clarity.
- **Chapter 9.185 Fences, Walls, and Screening**
 - Minor technical correction to the Agricultural Zone abbreviation from “(A)” to “(AG).”
 - Figure 9.185.040-1 Fence Height by Location (applicable to all Residential Zones) is revised to show that a maximum 6-foot-high fence is allowed in a corner/street side yard provided that a minimum 5-foot-wide landscape planter area is provided between the back of sidewalk and the fence. In addition, Table 9.185.040-1 Wall/Fence Maximum Height Standards by Zone is updated to add fence height requirements for Corner/Street Side setback condition.

- **Chapter 9.190 Hillside Development Standards**

- Minor technical correction to insert “but not limited to these areas” to clarify the Hillside Development Standard may be applicable to other zones besides Rural Mountainous (RM) and Rural Residential 5-acre minimum (RR5).
- Minor technical correction to remove the following text “restrictive” and “previously” to provide more clarity.
- Minor technical corrections to reference the “Community Development Director” and correct the spelling for the word “Maximum.”
- Corrected Table 9.190.060-1 - Maximum Steep Slope Encroachment, to clarify percentage ranges for percentage of a lot in steep slope lands.

- **Chapter 9.195 Landscaping Standards**

- Corrected spelling of the word “landscaping.”
- Provided clarity and referenced the “Community Development Director” rather than the approval authority. Added text to reference Chapter 9.185 (Fences, Walls, and Screening).
- Clarified the required percentage parking lot shade trees based on number of parking stalls within a parking lot and clarified the planter width and length requirement to specify that the required 12-inch-wide concrete step-out is required in addition to the 5-foot planter width, and that the planter length shall be the same as the adjacent parking space.

- **Chapter 9.215 Parking and Loading Standards**

- See amendment description for Industrial and Warehouse/Distribution Parking Requirements, Parking Conditions and Exceptions, and Alternative Programs for Parking previously discussed above.

- **Chapter 9.220 Sign Regulations**

- Added “Can Signs” to Section 9.220.040 Prohibited Signs and removed the text prohibited Can Signs from Section 9.220.130 Permanent On-Site Standards.
- Removed the timeframes for processing sign applications.
- Inserted footnote number 3 and 4 to multi-tenant office establishments under Table 9.220.130-1 Signage Standards for Permanent On-Site Signs.

- **Chapter 9.235 Animal Keeping**

- Minor grammatical corrections to language and corrected the table reference from 9.285.030-1 to 9.235.030-1. Added language “see Section C below” to Table 9.235.030-1 for more clarity.

- **Chapter 9.240 Motor Vehicle and Related Uses**
 - Simplify text related to car washes for conciseness.
- **Chapter 9.260 Outdoor Sales, Display and Dining**
 - Minor clarification to outdoor merchandise display requirements – “A minimum continuous pavement walkway and clear pedestrian path of not less than 5 feet wide is maintained.”
- **Chapter 9.280 Recycling Facilities**
 - Revise text to clarify the locational requirement – “*recycling facilities to be located at least 150 feet from properties zoned for or occupied by a residential use.*”
- **Chapter 9.290 Wireless Communication Facilities**
 - Minor grammatical clean-up, removing the word “the.”
- **Chapter 9.300 Universal Definitions**
 - Added a definition for “Can Sign” and revised the definition of “Industrial” to be inclusive of storage.

In conclusion, none of the proposed amendments involve any changes in zoning, or any changes to allowed uses, or density and intensities allowed within any zone. The proposed Development Code amendments (i.e., Code clean-up items) include technical and grammatical corrections, amended language to simplify and provide more clarity to certain provisions, provide consistency with the General Plan, and amend standards as needed to facilitate development in an appropriate manner as needed to implement the Development Code reasonably and effectively in support of the goals and policies of the City’s General Plan.

Environmental Determination

Staff has reviewed the proposed Municipal Code Amendment in accordance with the California Environmental Quality Act (CEQA) Guidelines and has determined that the code amendment is exempt pursuant to Section 15061 (b) (3) “Common Sense Exemption” of the CEQA Guidelines, as the proposed Code Amendment is a clean-up amendment to the Development Code that consists of minor technical corrections, clarifying language, amendments for General Plan consistency, and changes to parking requirements for industrial and warehouse/distribution facility uses where it can be seen with certainty that there is no possibility that the proposed amendments will have a significant impact on the environment.

Public Notice

The proposed project was noticed on August 5, 2022, for the August 17, 2022, City Council hearing. The public notices were published within *The Press Enterprise*. Notices were also mailed to anyone requesting a notice.

STRATEGIC PLAN OBJECTIVE

Livable and Economically Prosperous Community

FISCAL IMPACT

There is no additional fiscal impact resulting from the adoption of the proposed ordinance.

ATTACHMENTS

1. Ordinance – Code Amendment LR22-0140
2. Ordinance Exhibit A