



**Menifee Planning Commission
Menifee City Council
Agenda
April 18, 2018**

**City Council Chambers
29714 Haun Road
Menifee, CA 92586**

6:00 PM Joint Special Meeting

***THE PURPOSE OF PLANNING COMMISSION MEETINGS IS TO CONDUCT THE CITY'S BUSINESS
PLEASE SEE OUR DECORUM POLICY NOTES AT THE END OF THIS AGENDA***

JOINT SPECIAL WORKSHOP (6:00 PM)

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. WORKSHOP**
 - 3.1. Development Code Update Joint Workshop**

RECOMMENDED ACTION

Review the input provided by Staff and Stakeholders. Provide direction to Staff to proceed with the Development Code Update consistent with the major themes as described in the staff report below. Provide feedback regarding any additional issues that should be addressed in the Development Code.

- 4. ADJOURN**

Decorum Policy Notes

Please use a speaker request form when you wish to address the Commissioners.

The Commission anticipates and encourages public participation at its Commission meeting, both on agenda items and during the public comments period. Please use respect by not having your cell phones on, refrain from talking in the audience or outbursts that may be disruptive. While we encourage participation, we ask there be a mutual respect for the proceedings.

Staff Reports

Materials related to an item on this Agenda, including those submitted to the Planning Commission after distribution of the agenda packet, are available for public inspection by

contacting Jennifer Allen, Planning Commission Secretary, at (951) 672-6777 during normal business hours.

Compliance with the Americans with Disabilities Act

If you need special assistance to participate in this meeting, you should contact Jennifer Allen, Planning Commission Secretary, at (951) 672-6777. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to assure accessibility to this meeting.



CITY OF MENIFEE

SUBJECT: Development Code Update Joint Workshop

MEETING DATE: April 18, 2018

TO: Planning Commission

PREPARED BY: Cheryl Kitzerow, Community Development Director

REVIEWED BY: Lisa Gordon, Planning Manager

APPROVED BY: Cheryl Kitzerow, Community Development Director

RECOMMENDED ACTION

Review the input provided by Staff and Stakeholders. Provide direction to Staff to proceed with the Development Code Update consistent with the major themes as described in the staff report below. Provide feedback regarding any additional issues that should be addressed in the Development Code.

DISCUSSION

Comprehensive Development Code Update

The City of Menifee has started the process of creating comprehensive “Menifee-specific” zoning, subdivision and grading ordinances that are consistent with and implement the adopted 2013 General Plan.

Otherwise known as the Comprehensive Development Code, the regulations will be crafted to be user-friendly and help the City and applicants to achieve the vision, goals and objectives of the General Plan while establishing clear procedures for the development review process.

Input from Staff and Stakeholders

The City’s Consultant for the Comprehensive Development Code Update met with City Staff and Development Community Stakeholders to obtain feedback and direction. The summaries of these interactions are attached to this staff report. The major themes from both groups include:

1. Create a development code that is more user-friendly and clear on requirements.
2. Streamline the permit review and approval procedures.
3. Update the zoning code to address current uses and development standards.

ATTACHMENTS

1. Development Stakeholder Interview Summary 4.2.18

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2. Staff Summit Meeting Summary

Menifee Development Code and Grading Ordinance Update

STAKEHOLDER INTERVIEWS

Summary Report

MEMO

April 2, 2018

From: Dan Wery, Project Manager
Sara Allinder, Assistant Project Manager

To: Cheryl Kitzerow, Community Development Director
Lisa Gordon, Planning Manager

Subject: **Menifee Development Code and Grading Ordinance Update**
STAKEHOLDER INTERVIEWS Summary Report

On March 12 and March 13, 2018, the consultant team for the City of Menifee's Comprehensive Development Code Update conducted seven stakeholder interviews. The interviews were intended to solicit an understanding of issues and challenges with the current codes including the Zoning, Subdivision, and Grading ordinances.

This purpose of this memo is to provide a summary of these interviews and includes:

- The **primary themes** identified, as informed by the feedback collected through the stakeholder interviews;
- The list of **interviewees**;
- The **approach** used in the interviews; and,
- A **summary of the comments** received.

The information identified in this memo will be considered during the Comprehensive Development Code Update process.

PRIMARY THEMES

Several primary themes have emerged from the stakeholder interviews and represent high-level issues reflective of the most common input heard during the interview process. The primary themes identified include:

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The current codes are not user-friendly and are difficult to navigate. Most stakeholders expressed some frustration with the current codes, noting that it is difficult to navigate and understand, promotes subjective decision-making, and is a hindrance to facilitating new and existing businesses.

Permits and timelines should be streamlined. Stakeholders with experience processing applications (e.g., planning, subdivision) or plans (e.g., grading, improvement plans) noted a need to streamline permit review and approval procedures. This included identifying uses that may not need a Conditional Use Permit to allow for adequate review as well as decisions (e.g., release of bonds) that may be reviewed and approved at the staff level.

Interpretations should be handled consistently across all departments and staff. Stakeholders generally acknowledged that the code regulations as drafted provide for multiple interpretations due to the lack of clarity in how the standards are drafted. There was a consensus that interpretations were not being applied consistently across departments and staff.

Zoning should accommodate the types of uses and development to respond to existing and future demand. There was a desire to update the allowed uses and development standards to be Menifee-specific but also be flexible enough to respond to existing and future demands without necessitating additional changes, to the extent feasible.

INTERVIEWEES

Interviews were conducted with stakeholders representing diverse interests across the community, including the following individuals:

- Kassen Klein, Principal, Kassen Klein Consulting
- Larry Markham, President, Markham Development Management Group, Inc.
- Tony LoPiccolo, Executive Director, Menifee Valley Chamber of Commerce
- Danny Long, Director of Development, Rancon Group Inc.
- Shaun Bowen, Project Manager, Brookfield Residential
- Amir Fallahi, Principal, K&A Engineering
- Charley Black, Senior Vice President, Lee & Associates
- Gordon Mize, Senior Vice President, Lee & Associates
- Scott Hansen, VP of Forward Planning and Development, KB Home

Most stakeholders indicated that they were very familiar with the existing codes, primarily the Zoning and Subdivision ordinances, with more limited familiarity with the Grading ordinance. Only one interviewee was not very familiar with any of the codes.

APPROACH

Michael Baker staff interviewed stakeholders individually or, in some cases, in groups of two. While there was a standard list of questions prepared to ensure that interviewers touched on particular topics, the

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questions were not shared with the interviewees. This allowed the meetings to be more conversational and provided an opportunity for individual concerns to be expressed based on the interviewees' relevant experience with each of the codes (e.g., Zoning, Subdivision, Grading) rather than be limited to pre-determined questions. Interviewees were also informed of the intent to keep individual comments confidential to encourage more frank discussions with the consultant team.

SUMMARY OF COMMENTS

The following summary of comments reflects individual feedback received during the stakeholder interviews. These comments informed the primary themes, identified above.

OVERALL COMMENTS

- Seems to be a lack of consistency in implementing City vision and expectations.
- Staff is more efficient when reviews are handled within one department. There are more opportunities for delays or conflicting interpretations when dealing with two or more departments.
- City policies and procedures that address processing and interpretations that are not included in any of the codes or regulations should be formalized and/or clarified.
- There are areas of the City that need significant infrastructure improvements, which can be a big hurdle for private investment.
- Regulations need to be updated to reflect standards applicable in Menifee.

PERMIT PROCESSING

- Staff is overloaded.
- Too much uncertainty in the review process. Interpretations can be inconsistent across departments and/or staff.
- Too many Conditional Use Permits are required.
- Need more administrative level approvals (e.g., permits or decisions approved by the Community Development Director).
- The Economic Development Corridor zone requires too many Conditional Use Permits.
- Allow speculation buildings to move forward without requiring a Conditional Use Permit.
- Allow for a financing map option for subdivisions to facilitate the sale and leasing of properties.

ZONE DISTRICTS

- Consolidate zone districts, where appropriate.
- C-P-S (Scenic Highway Commercial) – is this zone necessary?
- The Economic Development Corridor (EDC) zone is cumbersome to navigate and implement.

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ALLOWED USE LISTINGS

- Use listings are too specific.
- Accommodate the following uses:
 - Co-worker space or executive offices to facilitate business transitions from home to commercial spaces.
 - Urgent care facilities.
 - Car dealerships.
 - Automotive repair.
 - Contractor storage/tow yards.
 - Self-storage.
- Consider the following uses to accommodate emerging/future trends:
 - Event venues
 - Breweries/distilleries

DEVELOPMENT STANDARDS

- Update parking standards for all uses and address new uses in standards (e.g., senior living).
- Update parking lot design standards.
- Revise setbacks standards (residential).
- Accommodate smaller lot development (e.g., 5,000 square foot to 6,000 square foot in the near-term with the potential for 3,000 square foot to 4,000 square foot lots in the future).

EXPIRATION TIMELINES

- Consolidate requirements for annual approvals to extend expiration of permits.
- Adjust expiration timelines to allow for reasonable time to effect permit (applies to planning, grading, and improvements plans).

IMPLEMENTATION

- Need to accommodate phasing of developments and allow for phased improvements.
- Too much uncertainty with revised standards being attached to previously approved projects when permit extensions are requested (applies to planning, grading, and improvements plans).

RELEASE OF BONDS

- Percent releases are too subjective from project to project.
- Process for approving bond releases are lengthy (can take up to 6 months).

Menifee Development Code and Grading Ordinance Update

Staff Summit Meeting Summary Notes

March 13, 2018 at 1:30 pm

ATTENDEES:

Sara Allinder, Michael Baker
 Dan Wery, Michael Baker
 Cheryl Kitzerow, City of Menifee
 Lisa Gordon, City of Menifee

Brandon Cleary, City of Menifee
 Ryan Fowler, City of Menifee
 Tamara Harrison, City of Menifee
 Russell Brown, City of Menifee

SUMMARY NOTES

Article 1: General Provisions

- Make sure to cover relationship to General Plan, CEQA, etc.

Article 2: Administration, Permit, and Processing

- Add a formal process for forwarding projects during the pre-application process. [Define thresholds? E.g., controversial projects, “new” project types, projects that could influence policy]
 - Reference Design Advice Request from Portland
 - Consider removing “application” from the process – use “feedback”?
- Do not include the County’s General Plan initiation process
- Final Site Development Plan = Master Home Plans (for subdivisions)
- Site Development Plan = Major Plot Plan (remove Site Development Plan as a separate permit)
- Include table with approval authorities (will also identify type of decision; e.g., ministerial, discretionary)
- Minor v. Major Plans (e.g., Plot Plans, Revisions, Conditional Use Permits, Temporary Use Permits)
 - Need to define thresholds between
 - Typically recognizes what does or does not require CEQA
 - Reference Chapter 9.06 for current distinction in TUPs
- Extensions of Time
 - OK to consolidate years so not having to approve these annually
 - City does attach new conditions to projects, primarily still dealing with projects that were approved in the County and is a way to play catch up – will continue practice
- Sign Processes – add more relief on the number of signs and location (e.g., tenant signs)
 - Individual
 - Sign Packages – typically addresses design
 - Master Sign Project (needs parameters and process) – typically addresses location/number of signs

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- Eliminate Billboard Permit
- Plot Plan
 - Take landscape construction plan approvals out? Still need to have a mechanism to capture fees, though
 - Minor Plot Plan – acts as a catch-all and is reviewed by all departments
 - Distinguish between Plot Plans that only need planning approval v. Plot Plans that need to be reviewed by other departments
- Planned Development
 - Establish process for review and approval
- Home Occupation Permit
 - Split into two categories: Minor one for home occupations not in detached structures and major for home-based businesses that may be allowed in detached structures, have employees or be more expansive uses
 - Consider a size threshold for allowance of one v. the other
- Substantial Conformance Determination – currently allowed for specific plans – expand to other permits
- Add:
 - Accessory Dwelling Unit Permit (current process)
 - Large Family Daycare Permit (current process)
- Reference:
 - Home Occupation requirements
 - Chapter 9.06 Temporary Use Permits for temporary outdoor events and general workshops
- Minor Exceptions – Reference various current relief procedures:
 - Administrative relief (allow minor at CDD level but more major at PC)
 - Deviation (see EDC)
 - Setback exceptions
- Transfer approval authority from Community Development Director to City Engineer:
 - Certificate of Compliance
 - Lot Line Adjustment
 - Lot Merger
- Add to Planning Commission approvals:
 - Finding of Public Convenience and Necessity
 - Sign Program (new) – reference sign chapter
- Transfer approval authority from City Council to Planning Commission:
 - Tentative Tract Map
- Transfer approval authority from City Council to City Engineer:
 - Final Map (ask Jonathan Smith)
 - Reversion to Acreage
- Add annexation procedures to the Rezoning process

Article 3: Zoning Districts

- C-P-S – transition into C-1/C-P?
- R-T – eliminate and handle through an overlay for Mobilehome or Special Use Parks?
- Add:
 - Open Space district
 - Public Facilities or Institutional district
 - Higher density districts as needed to implement GP designations with no implementing zone
- Break the use and development standards tables out by use category (e.g., res, commercial, industrial)

Article 4: General Development Regulations and Performance Standards

- Feel free to amend Chapter 9.86
- Make sure to reference also Chapter 15.04
- Keep historic preservation
- Parking and loading standards:
 - Address RV parking and living in RV with time limits
 - Add senior parking
 - Keep option to submit a parking demand study to deviate from parking standards
- Address compatibility standards between uses

Article 5: Specific Use Regulations

- Integrate Farmer's Markets into temporary uses – no real push to do certified farmer's markets, either
- Split Home Occupations into two categories (Major: Home-based businesses and Minor: Home occupations)
- Adult Use Business – verify status – prohibited? Legality?
- Add/consider special standards for:
 - Emergency shelters
 - Large family daycare
 - RV and boat storage (commercial)
 - Congregate care facilities/assisted living – make distinction between the different use type and address standards for each as needed
 - Short-term rentals (reference the short-term rental memo for potential thresholds?)
 - Tiny homes
- Temporary uses to include:
 - Special events
 - Mobile vendors
- Address reverse-vending in recycling facilities (prohibit them or require staff attendants?)
- Clarify prohibition of marijuana related uses
- Lift RV and auto dealerships out of special regulated uses to stand on its own

Article 6: Special Planning Areas

- Hillside Overlay
 - Need to reevaluate boundaries for – check genesis of the current boundaries (perhaps came from background reports on the General Plan)
 - Add a catchall question on applications?
 - Require slope analysis as an out?
- Mobilehome or Special Use Parks Overlay
 - Verify where these exist currently – probably only about 5
 - Look at Thousand Trails Wilderness Park to see how this is used
 - Handle these through an overlay district and look at eliminating the R-T districts
- Review R-6 and R-4 and how they are applied. Candidates for conversion to overlays or some other special planning district or mechanism to implement intent?
- For existing Specific Plans – they reference the version of Ord 348 in place at the time of adoption. Need to determine how these will be referenced/accessed.

Article 7: Definitions

- Consolidate here with potential for reference to special use chapters?

Open Discussion

- General Plan mapping – verify 8.1 – 14 du/ac parcels are showing in GIS. [8.1-14 category is shown, mapped. 14.1-20 du/ac GPLU designation is not used/mapped.]
- Add EDC and M-H to use and development standards tables for analysis – MBI to include
- Drones – be prepared for this to come up at the study session (defer to the FAA)
- Other uses discussed for consideration:
 - Petting zoos
 - U-pick farms
 - Summer camps (day use and/or overnight)
 - Sober living facilities/group homes/adult daycare – check on ability to regulate
 - Solar farm (commercial/utility-scale)
 - Escape rooms
 - Temporary uses including storage pods, RV related, metal shipping containers, car washes as fundraisers
 - Gambling
 - Nurseries – distinguish between wholesale and commercial
 - Recreation uses (e.g. BMX)
 - Shooting ranges
- Make distinctions in use categories (e.g., residential, professional office, manufacturing) – integrate into use and development standard tables
- Reflect different housing types in development standards (e.g., small-lot development, integrate as appropriate any design guidelines)
- Double-check the initial issues list from City staff at kick-off