

ORDINANCE NO. 2022 -337

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MENIFEE, FINDING THAT PROPOSED CHANGE OF ZONE (CZ) NO. PLN 21-0408 IS EXEMPT FROM ENVIRONMENTAL REVIEW AND ADOPTING PROPOSED CHANGE OF ZONE (CZ) NO. PLN 21-0408 TO AMEND THE MENIFEE MUNICIPAL CODE BY REVISING TABLE 9.140.030-1 (ECONOMIC DEVELOPMENT CORRIDORS ZONES) AND AMENDING THE DEFINITIONS OF MANUFACTURING, WAREHOUSING, LOGISTICS/DISTRIBUTION, FULFILLMENT CENTERS, AND RESEARCH AND DEVELOPMENT

WHEREAS, on December 13, 2021, the City of Menifee created an application for Change of Zone (CZ) No. PLAN 21-0408 to change the Permitted Use Table 9.140.030-1 (Economic Development Corridors Zones) to prohibit General Warehousing in the McCall Boulevard and Southern Gateway subdistricts and amend the definitions to the code for the following uses: Manufacturing, Warehousing, Logistics/Distribution, and Fulfillment Centers; and,

WHEREAS, on January 4, 2022, the Riverside County Airport Land Use Commission (ALUC) found Change of Zone (CZ) No. PLAN 21-0408 consistent with the 2014 March Air Reserve Base/Inland Port Airport Land Use Compatibility Plan; and,

WHEREAS, on January 26, 2022, the proposed amendments to the development code were on the Planning Commission agenda. Due to a technical error with the zoom account, members of the public who desired to participate virtually were unable to join the meeting. The Planning Commission elected to continue the item to the following Planning Commission meeting to be held on February 9, 2022, to allow all member of the public the opportunity to participate and provide input on the proposed development code amendment; and,

WHEREAS, on February 9, 2022, the Planning Commission held a duly noticed public hearing on the modification, considered all public testimony as well as all materials in the staff report and accompanying documents for Change of Zone (CZ) No. PLAN 21-0408, which hearing was publicly noticed by a publication in the newspaper of general circulation, and an agenda posting; and,

WHEREAS, at the February 9, 2022 Planning Commission public hearing, based upon all materials and testimony considered, the Planning Commission adopted Resolution PC22-557 recommending that the City Council find the Ordinance exempt from environmental review under the California Environmental Quality Act and adopt the Ordinance; and

WHEREAS, on March 2, 2022, the City Council held a duly noticed public hearing concerning the Ordinance, introduced and conducted a first reading of the Ordinance, and considered testimony and evidence at the Public Hearing held with respect thereto; and

WHEREAS, on March 16, 2022, the City Council conducted a second reading of the Ordinance; and

WHEREAS, the City Council has considered the requirements of CEQA; and

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MENIFEE DOES ORDAIN AS FOLLOWS:

Exhibit 1

Table 9.140.030-1 Economic Development Corridors Zones Allowed Uses and Approval Requirements						
Allowed Use	EDC-NG	EDC-MB	EDC-CC	EDC-NR	EDC-SG	Additional Requirements
Laboratories, research and development	P	P	P	P	P	
Research and development (except noxious, explosives, or dangerous materials)	P	--	P	--	P	
General warehousing, distribution centers, and storage (except noxious, explosives, or dangerous materials)	P	C	--	--	P	
Warehouse (except noxious, explosives, or dangerous materials)						
Fulfillment Center	P	--	--	--	--	
Warehousing, logistics and distribution facility	P	--	--	--	--	

Exhibit 2

Definitions

Manufacturing. ~~To assemble, fabricate, compound, process, treat or remanufacture.~~ means a use engaged in the manufacture, predominantly from previously prepared materials, of finished products or parts, including processing, fabrication, assembly, treatment and packaging of such products, and incidental processing of extracted or raw materials. They are characterized by having grade level bay doors with a ratio of approximately 1:15,000 -20,000 square feet.

Handcraft Manufacturing. On-site production, within an enclosed structure, of goods by hand manufacturing that involves the use of hand-tools and small-scale, light mechanical equipment (e.g., drills and saws; hammers and chisels; paint brushes and sprayers; pottery wheels and kilns; sewing machines; spinning wheels; welding) and that has no negative external impacts on surrounding properties. Handcraft manufacturing also includes the incidental direct sale to consumers of those goods produced on-site. Handcraft manufacturing does not include specialized retail uses (see *Retail, Specialized*).

Light-Intensity Manufacturing. The manufacturing, assembling, processing, storage or packaging of products, including:

1. The manufacturing of electric and electronic circuits and instruments and devices, such as, but not limited to, radio and television, phonographic equipment, calculators, computers, semi-conductors and transistors, and similar uses.
2. The manufacturing, assembly, processing, storage, or packaging of products from previously prepared materials such as, but not limited to, cloth plastic, paper, leather, and precious or semi-precious metals or stones.
3. The manufacturing of pharmaceutical products.

Light-intensity manufacturing does not include such operations as saw and planing mills, any manufacturing uses involving primary production of wood, metal or chemical products from raw materials and similar uses, uses involving the manufacturing, processing, storage or packaging of petroleum, and heavy agricultural products or other hazardous materials, or vehicle-dismantling yards, scrap and waste yards.

Medium-Intensity Manufacturing. Any manufacturing, storage, and distribution that does not include hazardous wastes or result in large truck usage/parking on the site.

Heavy-Intensity Manufacturing. The manufacturing, assembly, processing, storage, or packaging of products involving chemicals, petroleum, and heavy agricultural products or other hazardous materials.

Research and Development. Facilities for scientific research, and design. Development and testing of computer software, and electronic, magnetic, optical and mechanical components in advance of product

manufacturing, that are not associated with a manufacturing facility on the same site. Also includes chemical and biotechnology research and development.

Warehouse. A building used primarily for the storage of goods and materials.

Fulfillment Center. Is facility whereby a building is primarily used to receive, process, and fulfill numerous customer orders associated with electronic commerce ("e-commerce" retailers) or similar high capacity and high frequency orders and deliveries. The use includes the indoor storage of goods, products, and similar items and is typically characterized by a high intensity and a high frequency of truck traffic and may include multiple shifts of employees.

Warehousing, logistics and distribution facility means warehouse/distribution facilities used for the storage and/or consolidation of manufactured goods (and to a lesser extent, raw materials and excludes bulk storage of materials, which are flammable or explosive or create hazardous or commonly recognized offensive conditions) before their distribution to retail locations or other warehouses. Warehouse/distribution centers are generally having a land coverage ratio of approximately 45 to 60 percent, and a dock-high loading door ratio of approximately 1:5,000—8,000 square feet. They are characterized by dock high loading doors, could be on opposing sides of the building (cross dock facility); significant movement and storage of products, materials, or equipment; truck activities frequently outside of the peak hour of the adjacent street system; and freeway access, including:

- Freight yards/forwarding terminals
- Warehousing distribution/high cube distribution centers
- Moving agencies
- Parcel delivery terminals
- Railroad freight stations
- Shipping/receiving yards
- Truck terminals

SECTION 1. That the City Council find, for the reasons detailed upon that Notice of Exemption, that the Ordinance is exempt from further environmental review and authorize staff to sign and forward the Notice of Exemption.

SECTION 2. The City Council hereby finds that the Ordinance is consistent with the City's General Plan, including the following Goals and Policies of the City's General Plan:

Policy LU-1.4: Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and adjoining areas.

Policy LU-1.10: Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, and similar uses.

SECTION 3. The City Council of the City of Menifee finds that the Ordinance is consistent with the requirements of the City of Menifee Municipal Code regarding the process of amending the Municipal Code.

SECTION 4. The City Council of the City of Menifee hereby amends Chapter 9.140 "Economic Development Corridors" as shown on Exhibit 1 and amends Chapter 9.300 "Universal Definitions" as shown on Exhibit 2.

SECTION 5. Notice of Adoption. The City Clerk shall certify to the passage and adoption of this Ordinance, and shall cause the same to be published within fifteen (15) days after passage in accordance with law, and shall cause this Ordinance and its certification, together with proof of publication, to be entered in the Book of Ordinances of the City of Menifee.

SECTION 6. Effective Date. This Ordinance shall take effect and be in full force and operation thirty (30) days after its adoption.

SECTION 7. Severability. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance is, for any reason, held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

This Ordinance was introduced for first reading on March 2, 2022 and **PASSED, APPROVED AND ADOPTED** this 16th day of March, 2022.



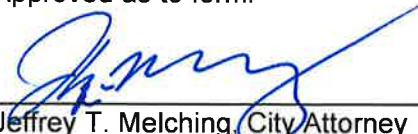
Bill Zimmerman, Mayor

Attest:



Stephanie Roseen, Acting City Clerk

Approved as to form:



Jeffrey T. Melching, City Attorney



STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF MENIFEE)

I, Sarah A. Manwaring, City Clerk of the City of Menifee, do hereby certify that the foregoing Ordinance No. 2022-337 was duly adopted by the City Council of the City of Menifee at a meeting thereof held on the 16th day of March, 2022 by the following vote:

Ayes: Deines, Karwin, Sobek, Zimmerman
Noes: Liesemeyer
Absent: None
Abstain: None


Stephanie Roseen, Acting City Clerk