

**City of Menifee General Plan Advisory Committee  
Meeting Minutes  
April 8, 2010**

**CALL TO ORDER**

The meeting was called to order by the Chair, Ken Gaunt at 6:05 p.m.

**ROLL CALL/INTRODUCTIONS**

Present were: Community Development Director Carmen Cave, Planning Center Wendy Grant, Planning Center Randy Jackson, and the following GPAC committee members: B. Bouris, S. Chagolla, S. Chandler, D. DeGeorge, E. Dilginis, J. Gagnon, K. Gaunt-Chair, E. Kroencke, M. Mata, L. Mazei, M. Rosen-Secretary, D. Stout, C. Sullivan-Vice-Chair, D. Temple, and R. Williams. There were approximately nine members of the public present.

Committee members absent: D. Castillejos, and D. Herrera.

The Secretary distributed an attendance roster for everyone to sign in.

**PUBLIC COMMENTS (non-agendized)**

None

**APPROVAL of MINUTES**

Motion by Carol Sullivan and seconded by Debbie Stout to approve the minutes of February 18, 2010, March 11, 2010, and March 25, 2010 with the following corrections:

March 11, 2010-page 2 second paragraph, the words "found it odd to use" to be replaced with "ought to use."

**CURRENT AGENDA TOPICS OF DISCUSSION**

**Community Design Presentation**

Randy Jackson discussed how to define rural life styles and what components could be added to enhance this. He discussed how to transition over time. Do we take existing places and allow it to evolve over time on its own, or do we consider what kind of transition we would like it to evolve into and intervene in the process?

Basically we must ask ourselves what image do we want for Menifee.

Kevin Lynch set down the elements for creating places. He described 5 major factors.

1. Circulation, which includes streets, corridors, trails, and paths.
2. Edges, which includes boundaries, buffers, and landforms.
3. Districts, which includes neighborhoods and villages.
4. Nodes, which includes gathering spaces and intersections. and
5. Landmarks, which includes icons, buildings, and hills for reference points.

Paths (streets and corridors) as a cognitive force are the most dominant elements of place making. Street characters can be changed to include such things as recessed garages, curb separated sidewalks, and landscaped parkways. We must consider what special character there would be in different neighborhoods that define it, either rural or urban.

Edges include those at the City, Village, Community, Neighborhood, or Residential level. Such things as strong plant material, monumentation, or hills or mountains could serve as edges.

Districts include different neighborhoods and villages as for example Sun City or Quail Valley.

Nodes include Parks, The College, The Town Center, and other destinations and intersections.

Landmarks include mountains, hills, lakes, iconic buildings, monuments, drainage corridors, or views.

The Committee was then divided into 4 groups to consider the following:

1. To identify the major and minor gateways into our community.
2. To define the beginning and end of our community; on the freeway and perhaps to add specific vegetation to specifically identify it.
3. To identify the major landmarks.
4. To identify where the major view corridors are that need protecting.
5. To identify where there should be formal landscape added to streets.

The developers put landscape material on the streets near their development. Each one did different renditions. Perhaps some uniformity should be added?

6. To identify where the rural character of some streets should be left alone.
7. To identify where the District/Neighborhood boundaries are.

Each of the groups presented their findings which was incorporated onto a map of the City. The Planning Staff will incorporate all of the findings of the 4 groups and come up with a general plan. This will be presented at a later date.

The Planning Center distributed two documents for the Committee to study. A memorandum dated April 6, 2010 on The General Plan and Zoning Code Summary (appended to the minutes), and a booklet entitled "A Practical Guide To The Specific Plan."

### **Schedule of Next Meeting**

After some discussion it was decided that we would meet and have our City Tour even though some people were unable to attend. The Planning Center will distribute a self tour guide for those individuals who would like to do the tour on their own.

The next meeting of GPAC will be on Saturday, April 17, 2010 at 9 AM at City Hall (9 AM-1 PM). We will leave from there in a van. Since this is a meeting of the Committee it will be advertised and an agenda posted in advance as required by the Brown Act.

The next regular meeting of GPAC is scheduled for Thursday, April 22, 2010 at 6 PM at City Hall.

### **ADJOURN**

Motion by Carol Sullivan and seconded by Steve Chagolla to adjourn the meeting. This was approved unanimously and Chairman Gaunt adjourned the meeting at 8:10 p.m.

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Marty Rosen, Secretary

DATE  
April 6, 2010

TO  
City of Menifee

CONTACT  
Carmen Cave, Ph. D., Community Development Director

FROM  
Wendy Grant, AICP, Senior Planner

SUBJECT  
General Plan and Zoning Code Summary

PROJECT NO.  
COMN-01.0L

The state of California delegates most local land use and development decisions to cities and counties. For local governments, day-to-day planning work is achieved through the use of three basic tools: the general plan, which serves as a comprehensive policy document, and two sets of implementing regulations, the zoning ordinance (also referred to as the development code), and the subdivision ordinance.

This memorandum focuses on the first two of these tools, the general plan and the zoning ordinance. The general plan and zoning ordinance are designed to be used jointly to make land use decisions at the local level. Taken together, the general plan is a city's "constitution" for future development and the zoning ordinance is the "beast of burden" for the general plan, designed to translate the goals and policies of the general plan into specific requirements for individual landowners.

The intent of this memorandum is to provide a brief summary of the purpose, content, and legal requirements involved in the preparation of the general plan and zoning ordinance to better help clarify their relationship to one another.

## **THE GENERAL PLAN**

California state law requires each city and county to adopt a comprehensive, long-term general plan (Govt. Code §65300). The general plan represents the community's view of its future: it is a blueprint for a city or county's growth and development. City councils, boards of supervisions, and planning commissions use the goals and policies of the general plan as a basis on which to make their land use decisions.

A general plan is a comprehensive and long-term document. It is considered comprehensive since it covers the territory within the boundaries of the adopting jurisdiction and any areas outside of its boundaries that relate to its planning activities (i.e., its Planning Area). It is also comprehensive in that it addresses a wide variety of issues that characterize a city or county. These issues range from the physical development of the jurisdiction, such as general locations, timing, and extent of land uses and supporting infrastructure, to social concerns such as those identified in the housing element of a general plan. It is considered long-term since it looks 20 years or further into the future. Individual jurisdictions determine a time horizon that serves their individual needs. Menifee has selected the year 2030 as its planning horizon. The general plan projects conditions and needs into the future as a basis for determining long-term objectives and policies and shorter-term decision making, budgeting and prioritization of implementation programs.

City Council adopts the community's general plan by resolution (versus adoption by ordinance). Under state law (Govt. Code §65358), each of the general plan's seven required elements can be amended up to four times per calendar year. More than one change may be considered at each of these four opportunities. Optional elements can be amended at any time. The state does not specify a timeframe in which a city's general plan must be updated, but typically a major revision occurs every 10 to 15 years when the data used to craft the plan becomes outdated or when the community faces new growth patterns.

## **Plan Components**

A general plan consists of both written text describing the community's goals, objectives, and policies for development as well as diagrams illustrating the generalized distribution of land uses, the circulation system, environmental hazard areas, the open space system, and other policy statements that can be illustrated (Govt. Code §65302.) General plans also typically include a vision statement that lays the foundation for the policies and programs developed for each of the general plan elements. Per state law, each general plan must include seven required elements:

- *Land Use*: Lays out a vision of all the buildings, roads, and public facilities in the city, not only where they are now, but where they will be in the future.
- *Circulation*: Deals with all major transportation improvements. The circulation element must be correlated with the land use element so that transportation improvements meet the development patterns identified in the land use element.
- *Housing*: Analyzes housing needs for all income groups and demonstrates how to meet those needs.
- *Conservation*: Addresses natural resources including flood control, water and air pollution, hillsides, natural landforms, and other resources.
- *Open Space*: Provides a plan for the long-term preservation of open space.
- *Noise*: Identifies and analyzes projected noise conditions in the community and includes measures to abate or mitigate potential noise levels.
- *Safety*: Establishes policies to protect the community from seismic, geographic, flood, and wildfire hazards.

Communities may choose to add additional elements to their general plan. Once an optional element is adopted, it has the same force and effect as the required elements. Menifee's general plan will contain three optional elements: Air Quality, Community Design, and Economic Development.

## **Consistency**

One of the key legal requirements concerning general plans deals with consistency. "Consistency" is one of the factors used in determining the legal adequacy of a general plan. State law requires that no textual or diagrammatic policies conflict between the components of a general plan; that is, a general plan must be internally consistent. Internal consistency has five dimensions:

- All elements of the general plan, including adopted optional elements, have equal legal status. No element legally takes priority over another.
- All elements must be consistent with one another. For instance, if land use element policies are likely to result in an increase in population and traffic, the circulation element must provide feasible mitigation to address those impacts.
- Each element's data, goals, objectives, policies, and implementation programs must be consistent with one another. For instance, if one section of the housing element indicates that current housing supplies will meet

COMMERCIAL RETAIL (CR)  
0.20 - 0.35 FAR

Local and regional serving retail and service uses. The amount of land designated for Commercial Retail exceeds that amount anticipated to be necessary to serve the County's population at build out. Once build out of Commercial Retail reaches the 40% level within any Area Plan, additional studies will be required before CR development beyond the 40 % will be permitted. Future demand and another section describes a shortage of affordable housing, the element is not internally consistent.

- All goals, objectives, policies, and implementation programs identified in a special policy area must be consistent with the overall general plan.
- The text and diagrams within the general plan must be consistent. In other words, the diagrams of land use distributions, circulation systems, open space and natural resource areas must reflect the written policies and programs of the general plan elements.

### **General Plan Land Use Designations**

The Land Use Element of a general plan identifies and describes a set of land use designations for the community and illustrates these designations on the Land Use Map. Land use designations in the General Plan are typically limited to broad descriptions of the land use intent and are accompanied by density or intensity thresholds for residential and non-residential development, respectively. Density is represented by dwelling units per acre (du/ac) and intensity is typically as represented a floor area ratio (FAR), which allows for development of building square footage that is equivalent to a percentage of the total square footage of the lot. Following is an example of a general plan land use designation from the RCIP:

Although the general plan establishes the location, density and intensity of land uses, it does not directly regulate the specifics of a property's development. To determine whether particular use is permitted or not permitted, and to understand what development standards are applicable to a particular parcel, one must consult the zoning ordinance.

### **ZONING**

A zoning ordinance, usually part of a city's municipal code, is a set of regulations that prescribes or restricts what landowners can do with their property. Zoning is adopted by ordinance and carries the weight of local law (Govt. Code §65850.) General Law cities, like Menifee, have the constitutional authority to adopt and enforce laws and regulations to promote and support the public health, safety, morals and general welfare (this is known as a city's "police power"). Adopting and enforcing a zoning ordinance is one way cities exercise their police power. Cities can legally enforce violations to their zoning code through their code enforcement department, these violations are usually misdemeanor offenses and require the violator to pay a fine and come into compliance with the requirements set forth in the zoning ordinance.

The general plan assigns a land use designation to each parcel; similarly, the zoning ordinance assigns a zoning designation to each parcel. If a landowner proposes a use that is not allowed in that zone, then a change of zone (rezoning) is required for that use to occur. The proposed change of zone must still be consistent with the goals and policies developed for that area in the general plan (unless a general plan amendment is proposed simultaneously). Zoning provides direction regarding use and

ARTICLE IXd  
C-O (COMMERCIAL-OFFICE ZONE)

SECTION 9.71. INTENT. The Board of Supervisors finds that there is a need in the County of Riverside for a zone classification designed to provide areas where primarily professional and administrative offices and related uses may be located. It is the intent that this zone classification ensures that such uses are well designed and landscaped to be harmonious and compatible with surrounding land uses.

SECTION 9.72. USES PERMITTED.

a. The following uses are permitted provided a plot plan has been approved pursuant to the provisions of Section 18.30 of this ordinance:

- (1) Administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale.
- (2) Art gallery, library, reading room, museum.
- (3) Banks and financial institutions.
- (4) Employment agencies.
- (5) Parking lots and parking structures.
- (6) Prescription pharmacy when related and incidental to a professional office building.
- (7) Tourist information centers.
- (8) Travel agencies.
- (9) Day care centers.
- (10) Churches, temples and other places of religious worship.

b. The following uses are permitted provided a conditional use permit has been approved pursuant to Section 18.28 of this ordinance:

- (1) Clinics, including but not limited to medical, dental and chiropractic.
- (2) (Deleted)
- (3) Health and exercise centers, provided all facilities are located within an enclosed building.
- (4) Hotels, resort hotels and motels.
- (5) Laboratories, film, dental, medical, research or testing.
- (6) Restaurants, not including drive-in or take-out restaurants.
- (7) Studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale.

c. The uses listed in Subsections a. and b. do not include sex-oriented businesses.

d. Any use that is not specifically listed in Subsections a. or b. may be considered a permitted or conditionally permitted use provided that the Planning Director finds that the proposed use is substantially the same in character and intensity as those listed in the designated subsections. Such a use is subject to the permit process which governs the category in which it falls.

**Use**

A major component of a zoning ordinance is that it restricts the type of development that may be built. Examples of uses include single-family residential, multifamily residential, neighborhood commercial, regional commercial, agriculture, mixed use, business park, etc. Uses are typically either "permitted" in a zone district, which in most cases allows for administrative approval (Community Development Director or designee has approval authority; no hearing required), "conditionally permitted", (requires a hearing at Planning Commission), or "not permitted", which prohibits a use in a zone district. Following is an excerpt from the Riverside County Zoning Ordinance that describes the intent of the Commercial-Office Zone and lists the uses permitted in that zone in more detail:

## Development Standards

Zoning ordinances identify building setbacks within which any building must fit; this area is commonly referred to as the “building envelope.” The zoning envelope specifies setbacks, height limits, and sometimes limits on the percentage of a site that may be covered by buildings, other structures, and paving (otherwise known as “Floor Area Ratio” or “FAR”.) Building envelopes may vary from use to use. Development standards also regulate how a building will perform in the context of its neighborhood, and are designed to ensure the compatibility of new development with adjacent uses; parking and open space requirements are two such examples. Following is an excerpt of development standards from the Riverside County Zoning Ordinance:

### ARTICLE IXd

#### C-O (COMMERCIAL-OFFICE ZONE)

##### SECTION 9.73. DEVELOPMENT STANDARDS.

The following shall be the standards of development in the C-O Zone:

- a. Lot Area. There is no minimum lot area requirement, unless specifically required by zone classification for a particular area.
- b. Setbacks.
  - (1) Where the front, side, or rear yard adjoins a street, the minimum setback shall be 25 feet from the right-ofway line. Where the front, side, or rear yard adjoins a lot zoned R-R, R-1, R-A, R-2, R-3, R-4, R-6, R-T, R-T-R, W-2-M, or SP with a residential use, the minimum setback shall be 25 feet from the property line.
  - (2) Where the front, side, or rear yard adjoins a lot with a zoning classification other than those specified in paragraph (1) above, there is no minimum setback.
  - (3) Setback areas may be used for driveways, parking, and landscaping.
- c. Height Requirements. The height of structures, including buildings, shall be as follows:
  - (1) Structures shall not exceed 40 feet at the yard setback line.
  - (2) Buildings shall not exceed 50 feet unless a height up to 75 feet is granted pursuant to Section 18.34 of this ordinance.
- d. Masonry Wall. Prior to occupancy of any use permitted in this article, a six foot high solid masonry wall or combination landscaped earthen berm and masonry wall shall be constructed on each property line that adjoins any parcel specifically zoned for residential use.
- e. Landscaping.
  - (1) A minimum of 15 percent of the site proposed for development shall be landscaped and irrigated.
  - (2) Not less than five feet of the front yard setback shall be landscaped.
- f. Parking Areas. Parking areas shall be provided as required by Section 18.12 of this ordinance.
- g. Trash Collection Areas. Trash collection areas shall be screened by landscaping or architectural features in such a manner as not to be visible from a public street or from any adjacent residential area.
- h. Outside Storage Areas. Outside storage areas are prohibited.
- i. Utilities. Utilities shall be installed underground except that electrical lines rated at 33kv or greater may be installed above ground.
- j. Mechanical Equipment. All roof mounted mechanical equipment shall be screened from the ground elevation view to a minimum sight distance of 1,320 feet.

## ZONING AND GENERAL PLAN RELATIONSHIP

The distribution of residential, commercial, industrial, and other zones in the zoning ordinance is based on the pattern of land uses established by the community's general plan (because the zoning ordinance implements the goals and policies of the general plan, the two plans must be consistent). For example: if a general plan designates the land adjacent to a major freeway as Commercial Retail, the zoning ordinance must support this vision by zoning the land for commercial uses, not residential, or agriculture, or any other use that is inconsistent with commercial uses. One general plan designation may be supported by multiple zone classifications. For example, the RCIP general plan land use designation of Commercial Retail is supported by zones C-1/C-P, C-O, CP-S, C-T, and SP, as shown in the table below. Even though each zone specifies different use and development standard parameters, they all meet the intent of the goals and policies developed for areas designated as Commercial Retail in the general plan. For further information on how the general plan and zoning ordinance relate to other planning tools, please see the Planning Systems exhibit attached to this memorandum.

### General Plan Land Use Designation

#### Zoning Classifications that Implement the General Plan Land Use Designation

**General Commercial (C-1/C-P):** General business and appurtenant accessory uses, only in enclosed buildings with not more than 200 sq. ft. of outside storage or display of materials. Certain uses permitted with approved Conditional Use Permit.

All other uses require Plot Plan approval. Off-site advertising permitted at 500-ft. intervals. On-site operators residence allowed with plot plan approval.

**Commercial Office (C-O):** With an approved Plot Plan, administrative and professional offices, provided that no stock is manufactured for retail sales, banks, pharmacies, day care centers, travel agency. With approved Conditional Use Permit: clinics, health and exercise center, hotels, restaurants (not fast food), professional studios. Scenic Highway

**Commercial (C-P-S):** Specific wholesale and retail commercial uses with approved Plot Plan. Limited commercial uses with approved Conditional Use Permit. On-site operator's residence allowed with Plot Plan approval.

### Commercial Retail (CR)

**Commercial Tourist (C-T):** Automobile and truck service stations, restaurants, bars, motels, gift shops, and new/used automobile/truck sales. All used require Plot Plan approval. No residential uses allowed. Specific Plan (SP):

Residential, commercial, manufacturing, open space, public facilities, health, and community facilities, agricultural uses pursuant to the permit requirements outlined in the adopted specific plan. If the specific plan does not specify a procedure, the use shall be subject to the most restrictive permit procedures contained in any zoning classification where the use is listed.

Uses shall conform to the development standards of the specific plan. If the specific plan lacks one or more standards, the standards from the zone which most closely fits the land use assigned to the site shall be utilized.

# planning system

GOALS  
OBJECTIVES  
POLICIES  
PROGRAMS  
REGULATIONS  
DEVELOPMENT PLANS  
PROJECTS  
DESIGN  
ENGINEERING  
CONSTRUCTION  
OPERATIONS  
MAINTENANCE

**General Plan**  
**Specific Plan**

**Subdivision**  
**Financing**

THE  
PLANNING  
CENTER