

**PLANNING COMMISSION
RESOLUTION NO. PC-2021-9**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2320 RELATED TO SECTIONS 16.08, 16.16, 16.20, 16.34, 16.44, 16.70, and 16.110

WHEREAS, the City of Murrieta (“City”) proposes an amendment to the City’s Development Code for the purpose of revising and updating sections 16.08, 16.16, 16.20, 16.34, 16.44, 16.70, and 16.110 (“Development Code Amendment”); and

WHEREAS, DCA-2021-2320 includes an update and clean-up in order to provide consistency and eliminate errors within the sections of the City’s Development Code identified above; and

WHEREAS, on August 25, 2021 the City of Murrieta Planning Commission held a duly noticed public hearing on the proposed Development Code Amendments, at which the public hearing was opened and continued to the September 22, 2021 hearing in order to address some minor edits to the documentation;

WHEREAS, on September 22, 2021 the City of Murrieta Planning Commission provided an opportunity for public comments, discussed the proposed Development Code Amendments, at which a staff report was presented and evidence in the record was provided to support the findings required by the Murrieta Development Code Section 16.58.080; The Planning Commission recommended Option B-1 to the City Council with a modification to Section 16.44.150.K.1.a. in order to provide for one (1) additional cargo container for each additional five (5) acres with respect to a subject parcel. The updated language for this subsection is revised to read as follows: “It shall be limited to one (1) cargo container for parcels between one (1) and two (2) acres. For parcels greater than two (2) acres and less than five (5) acres, one (1) additional container may be proposed. For parcels five (5) acres or greater, one (1) additional cargo container may be proposed for each additional five (5) acre increment for the subject parcel.”

WHEREAS, the Planning Commission considered and discussed the public comments and written information provided at the public hearing at both meetings and has determined that the proposed Development Code Amendment is appropriate; and

WHEREAS, the Planning Commission has considered the potential for environmental effects as a result of the proposed Development Code Amendment pursuant to the California Environmental Quality Act (CEQA), and concurs with staff’s recommendation.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Murrieta does resolve as follows:

Findings and Recommended Approval for Development Code Amendments:

1. The proposed amendment ensures and maintains internal consistency with all of the objectives, policies, general plan land uses, programs and actions of all elements of the general plan;

FACTS: The Development Code is the primary tool for implementing the General Plan, providing regulating standards, identification of permitted uses, and other regulations that support the proper implementation of the General Plan Land Use Element. This Development Code Amendment updates and amends sections 16.08, 16.16, 16.20, 16.34, 16.44, 16.70, and 16.110 in order to provide accurate and consistent information throughout the City's Development Code.

2. The proposed amendment would not be detrimental to the public convenience, health, safety or general welfare of the City;

FACTS: The proposed amendment addresses errors within the City's Development Code, in order to provide accurate and consistent information throughout the City's Development Code, which will maintain the public convenience, health and safety, and general welfare of the City.

3. The proposed amendment is internally consistent with other applicable provisions of the Development Code.

FACTS: The proposed amendment addresses errors within the City's Development Code, in order to provide accurate and consistent information throughout the City's Development Code specifically sections 16.08, 16.16, 16.20, 16.34, 16.44, 16.70, and 16.110 and thereby, is internally consistent.

4. The proposed amendment is in compliance with the provisions of the California Environmental Quality Act (CEQA);

FACTS: The proposed Development Code Amendment is exempt from the provisions of the California Environmental Quality Act (CEQA) under Section 15061(b)(3) of the CEQA Guidelines, as the proposed Development Code revisions would have no significant adverse effects on the environment. Furthermore, the updates concerning Accessory Dwelling Units are statutory exempt, pursuant to Public Resources Code Section §21080.17 (adoption of an ordinance by a city to implement the provisions of Sections §65852.1 or §65852.2 of the Government Code), of the CEQA Guidelines.

BE IT FURTHER RESOLVED that based on the written information provided, the public comments received and findings stated above, the Planning Commission recommends that the City Council adopt the environmental determination and approve the Development Code Amendment (DCA) 2021-2320 amending sections 16.08, 16.16, 16.20, 16.34, 16.44, 16.70, and 16.110 as shown on the attached Ordinance.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning Commission of the City of Murrieta, California, held on the 22nd day of September 2021.

APPROVED:

Planning Commission Chairperson

ATTEST:

Jarrett Ramaiya, City Planner

I, Jarrett Ramaiya, City Planner, City of Murrieta, California do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the 22nd day of September 2021 by the following roll call vote:

MOTION MADE BY COMMISSIONER FALCONIERI
SECONDED BY VICE CHAIR LaPAGLIA

AYES: FALCONIERI, FISHER, LaPAGLIA, AND LEVELL
NOES: (NONE)
ABSENT: (NONE)
ABSTAINED: (NONE)

Jarrett Ramaiya, City Planner

ATTACHMENTS:

Exhibit A Draft Ord. – Chapter 10.44 – Parking Restrictions for Commercial, Recreational, and Certain Other Vehicles – Strikeout/Underline **(For Informational Purposes Only)**

- Exhibit A Draft Ord. – Chapter 10.44 – Parking Restrictions for Commercial, Recreational, and Certain Other Vehicles – Clean (**For Informational Purposes Only**)
- Exhibit B-1 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Strikeout/Underline** (**Add. container may be proposed for parcels greater than two (2) acres / Existing cargo containers can remain in place as of the effective date of the adoption of Ord.**)
- Exhibit B-1 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Clean** (**Add. container may be proposed for parcels greater than two (2) acres / Existing cargo containers can remain in place as of the effective date of the adoption of Ord.**)
- Exhibit B-2 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Strikeout/Underline** (**Limited to one cargo container at a site / Existing cargo containers can remain in place as of the effective date of the adoption of Ord.**)
- Exhibit B-2 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Clean** (**Limited to one cargo container at a site / Existing cargo containers can remain in place as of the effective date of the adoption of Ord.**)
- Exhibit B-3 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Strikeout/Underline** (**Add. container may be proposed for parcels greater than two (2) acres / Existing cargo containers at existing res. properties can remain in place five (5) years from the effective date of Ord.**)
- Exhibit B-3 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Clean** (**Add. container may be proposed for parcels greater than two (2) acres / Existing cargo containers at existing res. properties can remain in place five (5) years from the effective date of Ord.**)
- Exhibit B-4 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Strikeout/Underline** (**Limited to one cargo container at a site / Existing cargo containers at existing res. properties can remain in place five (5) years from the effective date of Ord.**)
- Exhibit B-4 Draft Ord. – Chapter 16 Amend. – Article II – Zoning Districts and Allowable Land Uses, Article III – Site Planning and General Development Standards, Article VI – Development Code Definitions – **Clean** (**Limited to one cargo container at a site / Existing cargo containers at existing res. properties can remain in place five (5) years from the effective date of Ord.**)