

ATTACHMENT 2  
ORDINANCE REDLINE

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF  
MURRIETA, CALIFORNIA, AMENDING TITLE 16 OF THE MURRIETA  
DEVELOPMENT CODE TO REVISE CHAPTERS 16.18, 16.22, 16.30,  
16.34, 16.38, 16.44, 16.46, 16.90, 16.98, AND 16.110, AND AMENDING  
TITLES 1, 8, AND 10 OF THE MURRIETA MUNICIPAL CODE TO  
REVISE CHAPTERS 1.26, 8.28, AND 10.44**

[RECITALS OMMITTED – SEE ATTACHMENT 1]

**SECTION 3. DEVELOPMENT CODE AMENDMENT**

Section 16.18.070 “Hazardous Materials Storage” of the Murrieta Development Code is hereby amended to read as follows:

**“16.18.070 Hazardous Materials Storage.**

The following standards are intended to ensure that the use, handling, storage, and transportation of hazardous substances comply with all applicable state laws (Government Code Section 65850.2 and Health and Safety Code Section 25505, et seq.) and that appropriate information is reported to the city.

A minor conditional use permit is required pursuant to [Chapter Section 16.52](#) (Conditional Use Permits) for the storage of hazardous materials in conjunction with an on-site primary use where quantities are in excess of the threshold(s) specified in the [uniform California Building and Fire Code\(s\)](#) ~~building code~~.

For the purposes of this section, "hazardous substances" shall include all substances on the comprehensive master list of hazardous substances compiled and maintained by the California Department of Health Services [and the Riverside County Department of Environmental Health](#).

**A. Reporting Requirements.** All businesses required by state law (Health and Safety Code, Section 6.95) to prepare hazardous materials release response plans shall submit copies of these plans, including any revisions, to the director at the same time these plans are submitted to the fire department [and the Riverside County Department of Environmental Health](#).

**B. Underground Storage.** Underground storage of hazardous substances shall comply with all applicable requirements of state law (Health and Safety Code, Section 6.7; and ~~Section 79.1-13(a) Chapters 50 – 67 of the uniform fire code~~) [California Fire Code and Sections 414 and 415 of the California Building Code](#). Businesses that use underground storage tanks shall comply with the following notification procedures:

1. [Immediately](#) ~~Not~~ify the fire department of any unauthorized release of hazardous substances ~~immediately~~ and take steps necessary to control the release; and
2. Notify the ~~fire~~ [fire](#) department and the director of any proposed abandoning, closing, or ~~ceasing~~ [termination of](#) operations of ~~an~~ [underground storage tank\(s\)](#) and the [lawful](#) actions to be taken to dispose of any hazardous substances [in accordance with all local, state, and federal codes and/or standards](#).

**C. Aboveground Storage.** Aboveground storage tanks for flammable liquids may be ~~allowed~~ [permitted at construction sites](#) subject to the approval of the fire ~~department~~ [code official](#).

**D. New Development.** Structures subject to the provisions of this development code as well as all newly created parcels shall be designed to accommodate a setback of at least fifty (50) feet from any existing natural gas or petroleum pipeline. This setback may be reduced, only if the director can make one or more of the following findings:

1. The structure would be protected from the radiant heat of an explosion by berming or other physical barriers;
2. A fifty (50) foot setback would be impractical or unnecessary because of existing topography, streets, parcel lines, or easements; or
3. A containment system or other mitigating facility shall be constructed. and the city engineer finds that a leak would accumulate within the reduced setback area. The design of the system shall be subject to the approval of the city engineer [and a fire code official approved by the fire protection engineer](#).

For the purpose of this section, a pipeline is defined as follows:

1. A pipe with a nominal diameter of six inches or more that is used to transport hazardous liquid, but does not include a pipe used to transport or store hazardous liquid within a refinery, storage, or manufacturing facility; or
2. A pipe with a nominal diameter of six inches or more operated at a pressure of more than two hundred seventy-five (275) pounds for each square inch that carries gas.

**E. Notification Required.** A subdivider of a development within five hundred (500) feet of a pipeline shall notify a new/potential owner at the time of purchase and at the close of escrow of the location, size, and type of pipeline.”

Section 16.18.150, Tables 3-1 “Multi-Family Development Minimum Common Storage Areas Required (Sq. Ft.)” and 3-2 “Nonresidential Structures Minimum Storage Areas Required (Sq. Ft.)” of the Murrieta Development Code are hereby amended to read as follows:

**~~“TABLE 3-1~~**

**~~MULTI-FAMILY DEVELOPMENT MINIMUM COMMON STORAGE AREAS  
REQUIRED (SQ. FT.)~~**

**TABLE 16.18.150-1**  
**MULTI-FAMILY DEVELOPMENT MINIMUM COMMON STORAGE AREAS**  
**REQUIRED (SQ. FT.)**

Number of Dwellings	Refuse	Recycling	Total Area
2-6	12	12	24
7-15	24	24	48
16-25	48	48	<del>48</del> 96
25 or more	Every additional twenty-five (25) dwellings or fraction thereof shall require an additional forty-eight (48) square feet for solid waste and forty-eight (48) square feet for recyclables.		

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**~~TABLE 3-2~~**

**~~NONRESIDENTIAL STRUCTURES MINIMUM STORAGE AREAS REQUIRED (SQ. FT.)~~**

**TABLE 16.18.150-2**  
**NONRESIDENTIAL STRUCTURES MINIMUM STORAGE AREAS REQUIRED (SQ. FT.)**

Building Floor Area (sq. ft.)	Refuse	Recycling	Total Area
0-5,000	12	12	24
5,001-10,000	24	24	48
10,001-25,000	48	48	96
25,001-50,000	96	96	192
50,001-75,000	144	144	288
75,001-100,000	192	192	384
100,001+	Every additional twenty-five thousand (25,000) sq. ft. shall require an additional forty-eight (48) sq. ft. for solid waste and forty-eight (48) sq. ft. for recyclables.		

“

Section 16.22.080 “Prohibited Fence Materials” of the Murrieta Development Code is hereby amended to read as follows:

**“16.22.080 Prohibited Fence Materials.**

**A. Prohibited Fencing Materials.**

1. Barbed wire, razor wire and other similar materials shall not be permitted as part of a fence or wall except as utilized for permitted agricultural and livestock operations ~~in any residential zoning district~~; and

2. The use of chain-link fencing shall not be allowed within the front yard setback on a residentially zoned, except in the RR and RE zones or developed property along a property line adjacent to a street.

3. Barbed wire, razor wire, and similar materials installed prior to the effective date of Ordinance No. \_\_\_\_\_ shall be allowed to continue to be utilized for security purposes.

**B. Exceptions to Prohibited Fencing Materials.** Chain-link fences, may be allowed when required for security or safety reasons, subject to the director's approval, which shall be conditioned to mitigate negative visual impacts. The conditions may include, but are not limited to, the following:

1. Inclusion of decorative elements (i.e., varied mesh sizes, vinyl or other coating and alternative post materials);
2. Inclusion of landscaping or alternative fence locations; and
3. Maintenance of fencing materials and landscaping.”

Section 16.30.130 “Acts Deemed Violations of Chapter” of the Murrieta Development Code is hereby amended to read as follows:

**“16.30.130 Acts Deemed Violations of Chapter.**

The following acts are a violation of this chapter.

**A. Construction Noise.**

1. Operating or causing the operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work between weekday hours of eight p.m. and seven a.m., or at any time on Saturdays, Sundays, or holidays so that the sound creates a noise disturbance across a residential or commercial property line, except for emergency work of public service utilities.”

Section 16.34.040 “Table 3-7 Parking Requirements by Land Use” of the Murrieta Development Code is hereby amended to read as follows:

“..

**TABLE 3-7  
PARKING REQUIREMENTS BY LAND USE**

<u><a href="#">Agricultural Uses</a></u>	<u><a href="#">Vehicle Spaces Required</a></u>
<u><a href="#">Produce Stands (Issued by Temporary Use Permit)</a></u>	<u><a href="#">Minimum of 3 on-site parking spaces.</a></u>  <u><a href="#">The parking area shall be set back from any public right-of-way in compliance with the underlying zone. This area shall be kept clear to provide unobstructed visibility for motorists.</a></u>
<u><a href="#">Agriculture Processing</a></u>	<u><a href="#">1 per 1,500 sq. ft. of use area.</a></u>  <u><a href="#">The parking area shall be set back from any public right-of-way in compliance with the underlying zone. This area shall be kept clear to provide unobstructed visibility for motorists.</a></u>
<u><a href="#">Equestrian Facilities</a></u>	<u><a href="#">1 per 3 corrals plus 1 horse trailer space for every 10 corrals plus 2 for a caretaker's unit.</a></u>  <u><a href="#">The parking area shall be set back from any public right-of-way in compliance with the underlying zone. This area shall be kept clear to provide unobstructed visibility for motorists.</a></u>

..”

Section 16.38.080 “Prohibited Signs” of the Murrieta Development Code is hereby amended to read as follows:

**“16.38.080 Prohibited Signs.**

The following signs are inconsistent with the purposes and standards of this chapter and are, therefore, prohibited in all zoning districts:

- A. Abandoned and/or dilapidated signs and sign structures;
- B. Animated, moving, flashing, blinking, reflecting, revolving, or other similar signs, except time/temperature devices;
- C. Banners, flags, and pennants, except as specifically allowed by the provisions of Section 16.38.055 (Temporary Commercial Signs);
- D. Bench signs, except at approved bus passenger loading areas in areas other than [single-family](#) ~~single family~~ residential districts;

E. Changeable copy signs, except as approved for a civic organization/institution, movie theater, regional mall, auto center, or unless otherwise approved by a sign program, or as allowed pursuant to Section 16.38.020 (C)(Message Substitution);

F. Inflated signs, balloons, and figures;

G. Light bulb strings except for temporary uses (e.g., Christmas tree lots) ~~and~~ exposed tubing (neon), and light-emitting diode (LED) or similar lighting technology, except as allowed by a comprehensive sign program;

H. Obscene or offensive signs containing statements, words, or pictures of an obscene, indecent or immoral character which appeal to the prurient interest in sex, or which are patently offensive and do not have serious literary, artistic, political, or scientific value;

I. Off-site signs not specifically allowed by the provisions of this chapter, including billboards and outdoor advertising not specifically authorized pursuant to Section [16.38.150](#);

J. Painted signs on fences, walls or roofs;

K. Portable signs, this provision does not apply to noncommercial signs;

L. Pole signs;

M. Projecting signs:

N. Roof signs;

O. Signs erected in a manner that a portion of its surface or supports will interfere in any way with the free use of a fire escape, exit, or standpipe or obstruct a required ventilator, door, stairway, or window above the first story;

P. Signs not in compliance with the provisions of this chapter;

Q. Signs emitting audible sounds, odors, or visible matter;

R. Signs that conflict with or imitate traffic control devices due to color, wording, design, location or illumination, or that interfere with the safe and efficient flow of vehicular and/or pedestrian traffic;

S. Signs on public property or projecting within the public right-of-way, except with an encroachment permit issued by the city;

T. Signs which are a danger to the public or are unsafe;

U. Signs which are a traffic hazard not created by relocation of streets or highways or by acts of the city;

V. Vehicle signs; or

W. Illegal Signs pursuant to Section [16.38.085](#)."

Section 16.38.140 "Table 3-11 Sign Standards-Residential" of the Murrieta Development Code is hereby amended to read as follows:

**~~"TABLE 3-11~~ 16.38.140-1**  
**~~SIGN STANDARDS-RESIDENTIAL~~ SIGN STANDARDS - RESIDENTIAL**

CLASS	SIGN TYPE	NUMBER	SIGN AREA	HEIGHT	REMARKS
Neighborhood identification	Wall or monument	Two per entry (one at each corner)	Twenty-four (24) square feet	Six feet for wall sign and four feet for monument sign.	1. Copy shall be limited to the name of the development.
<del>Multi-family identification</del>	<del>Wall</del>	<del>One per street frontage with a maximum of two per development.</del>	<del>Twenty-four (24) square feet</del>	<del>Sign shall not project above the edge of roof</del>	<del>1. Signs shall harmonize with the scale and design of the development.</del> <del>2. Indirect lighting only.</del> <del>3. Monument signs shall be placed no closer than five feet from the property line. Corner locations shall be approved by city engineer.</del>
	<del>Monument</del>	<del>One per street frontage with a maximum of two per development.</del>	<del>Twenty-four (24) square feet</del>	<del>Six feet</del>	
<u>Multi-family identification</u>	<u>Wall</u>	<u>One per street frontage with a maximum of two per development.</u>	<u>Twenty-four (24) square feet</u>	<u>Sign shall not project above the edge of roof</u>	<u>1. Signs shall harmonize with the scale and design of the development.</u> <u>2. Indirect lighting only.</u> <u>3. Monument signs shall be placed no closer than five feet from</u>
	<u>Monument</u>	<u>One per street frontage with a maximum of two per</u>	<u>Twenty-four (24) square</u>	<u>Six feet</u>	

		<a href="#">development.</a>	<a href="#">feet</a>		<a href="#">the property line. Corner locations shall be approved by city engineer.</a>  <a href="#">4. Refer to the Objective Design Guidelines (ODS) for additional criteria.</a>
Multi-family site directory	Monument	One per vehicular entrance	Twelve (12) square feet	Six feet	<p>1. To direct visitors and emergency vehicles to buildings.</p> <p>2. Sign shall be conveniently located and shall not be located within the entry throat in a manner that could block access.</p> <p>3. Illuminated for legibility twenty-four (24) hours a day.</p> <p>4. Sign shall locate building, driveway locations, and address of each building. Fire hydrant or knox box locations may also be shown as required by the fire department.</p> <p>5. Copy shall be minimum one inch in height and legible from twenty (20) feet.</p> <p><a href="#">6. Refer to the</a></p>



					<a href="#">Objective Design Guidelines (ODS) for additional criteria.</a>
Model home complex	Temporary sign on-site	Two on-site temporary signs permitted. One each main street of project.	One hundred (100) square feet	Fifteen (15) feet	<p>1. Signs shall be removed within ten days from the date of the final sale of the land and/or residences.</p> <p>2. Signs shall be for identification of subdivision, price information, and the developers name, address, and telephone number.</p>
	Flags, banners, pennants	Per director	Per director	Per director	
	Real estate signs	One per lot	Four square feet	Seven feet	1. See Section 16.38.050(C).
Non-residential uses					1. Subject to the Civic/Institutional sign allowances.

~~“WALL SIGN STANDARDS-NON RESIDENTIAL~~

**TABLE 16.38.140-2**  
**WALL SIGN STANDARDS - NON-RESIDENTIAL**

PRIMARY FRONTAGE	NON-PRIMARY FRONTAGE
1.5 square feet per 1 lineal foot of frontage not to exceed 250 square feet of sign area	1 square feet per 1 lineal foot of frontage not to exceed 150 square feet of sign area

~~“FREESTANDING SIGN STANDARDS-COMMERCIAL and INDUSTRIAL~~

**TABLE 16.38.140-3**  
**FREESTANDING SIGN STANDARDS – COMMERCIAL, INDUSTRIAL, OFFICE,**  
**BUSINESS PARK, AND INNOVATION**

	<b>MONUMENT</b>	<b>PYLON</b>	<b>FREEWAY SIGNS</b>	<b>REMARKS</b>
<p>All Commercial zones (NC, CC, RC)</p> <p>Single tenant</p>	One sign; 24 sq.ft.in sign area per side; 8' max height.	<p>If more than 300 lineal feet of street frontage one Pylon sign; 60sq.ft.max sign area and 12' max height.</p>	<p><b>Up to 25 acres in size</b> - 1 sign, 225sq.ft.max sign area; 40' max height.</p> <p><b>&gt;25 acres</b> - 1 sign, 500sq.ft max sign area; 60' max height.</p> <p>*1000 ft. from other freeway signs with digital display or 500 feet from any other freeway signs on the same side of the street, includes signs of different parcels/development . Within 150 ft. of freeway right-of-way. All freeway signs shall include the City's name and logo.</p>	<p>1. Digital display is permitted on one freestanding sign per center and shall occupy a max of 20% of that sign's area.</p> <p>2. One monument and/or pylon sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign.</p> <p>3. If project site is located on comers of major arterials it is subject to section 16.38.130.</p>
Multi-tenant	One per street frontage; 50	<b>&gt;2.5 up to 6 acres</b> - 1 max; 60 sq.	<b>Up to 25 acres in size</b> - 1 sign,	1. Digital display is permitted on

	sq. ft. in sign area per side; 10' max height. If more than 300 lineal feet of frontage one additional sign is allowed along one frontage. Signs shall have a 200 foot separation from any other signs.	ft.max sign area and 12' max height >6acres<10-2 max; one per street frontage; 200-foot separation from all other signs; 60 sq.ft. max sign area; 12' max height. <b>&gt;10acres&lt;25</b> - 3 Max; at 100 sq. ft. max sign area; 20' max height; 200-foot separation from all other signs. <b>&gt;25 acres</b> - 4 max; 200 sq. ft. max sign area; 25' max height; 200-foot separation from all other signs. If project site has more than 1200 lineal feet of street frontage one additional pylon is allowed.	225sq.ft. sign area; 40' max height. <b>&gt;25 acres</b> - 1 sign, 500sq.ft. max sign area; 60' max height. *1000 ft. from other freeway signs with digital display or 500 feet from any other freeway signs on the same side of the street, includes signs of different parcels/development . Within 150 ft. of freeway right-of-way. All freeway signs shall include the City's name and logo.	one freestanding sign per center and shall occupy a max of 20% of that sign's area. 2. One monument and/or pylon sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign. 3. If project site is located on corners of major arterials it is subject to section 16.38.130.
<u>Office (O and ORP)</u>	=	=	=	=

<u>Business Park and Industrial (BP, GI, and GIA)</u>				
<u>Single tenant</u>	<u>One sign; 24 sq.ft.in sign area per side; 6' max height.</u>	<u>Not Allowed</u>	<u>Not Allowed</u>	<u>1. Digital display is permitted on one freestanding sign per center and shall occupy a max of 20% of that sign's area.</u> <u>2. One monument and/or pylon sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign.</u> <u>3. If project site is located on corners of major arterials it is subject to section 16.38.130.</u>

<u>Multi-tenant</u>	<u>One per street frontage; 50 sq. ft. in sign area per side; 10' max height. If more than 300 lineal feet of frontage one additional sign is allowed along one frontage. Max of 3 monument signs allowed. Signs shall have a 200 foot separation from any other signs.</u>	<u>&gt;2.5 acres up to 25 acres – 1 max; 60 sq. ft. max sign area; 12 ft. max height. &gt;25 acres – 2 max; one per street frontage with 100 sq. ft. max sign area; 20 ft. max height. Signs shall have a 200 foot of separation from any other signs</u>	<u>1 max 225sq.ft. in sign area; 40' max height * 1000 ft. from other freeway signs with digital display or 500 feet from any other freeway signs on the same side of the street, includes signs of different parcels/development . Within 150 ft. of freeway right-of-way. All freeway signs shall include the City's name and logo.</u>	<u>1. Digital display is permitted on one freestanding sign per center and shall occupy a max of 20% of that sign's area. 2. One monument and/or pylon sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign. 3. If project site is located on corners of major arterials it is subject to section 16.38.130.</u>
<u>Office (O and ORP), Business Park, Industrial (BP, GI, and GIA), Innovation (INN)</u>				
<u>Single tenant</u>	<u>One sign; 24 sq.ft.in sign area per side; 6' max height.</u>	<u>Not Allowed</u>	<u>Not Allowed</u>	<u>1. Digital display is permitted on one freestanding sign per</u>

				<p><u>center and shall occupy a max of 20% of that sign's area.</u></p> <p><u>2. One monument and/or pylon sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign.</u></p> <p><u>3. If project site is located on corners of major arterials it is subject to section 16.38.130.</u></p>
<u>Multi-tenant</u>	<p><u>One per street frontage; 50 sq. ft. in sign area per side; 10' max height. If more than 300 lineal feet of frontage one additional sign is allowed</u></p>	<p><u>&gt;2.5 acres up to 25 acres - 1 max; 60 sq. ft. max sign area; 12 ft. max height.</u></p> <p><u>&gt;25 acres - 2 max; one per street frontage with 100 sq. ft. max sign</u></p>	<p><u>1 max 225sq.ft. in sign area; 40' max height</u></p> <p><u>* 1000 ft. from other freeway signs with digital display or 500 feet from any other freeway signs on the same side of the street, includes signs of different parcels/development . Within 150 ft. of freeway right-of-</u></p>	<p><u>1. Digital display is permitted on one freestanding sign per center and shall occupy a max of 20% of that sign's area.</u></p> <p><u>2. One monument and/or pylon</u></p>

	<a href="#">along one frontage.</a> <a href="#">Max of 3 monument signs allowed.</a> <a href="#">Signs shall have a 200 foot separation from any other signs.</a>	<a href="#">area; 20 ft. max height</a> <a href="#">Signs shall have a 200 foot of separation from any other signs</a>	<a href="#">way. All freeway signs shall include the City's name and logo.</a>	<a href="#">sign per development shall include the center's name. This sign area will not count towards the overall allowed signage area of said sign.</a> <a href="#">3. If project site is located on corners of major arterials it is subject to section 16.38.130.</a>
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**TABLE 16.38.140-4**  
**SIGN STANDARDS - CIVIC/INSTITUTIONAL**

	<b>WALL</b>	<b>MONUMENT</b>	<b>PYLON</b>	<b>FREEWAY</b>	<b>REMARKS</b>
Civic/ Institutional	1 per building frontage facing a public street; max 2 wall signs; with a max sign area of 200 square feet.	One sign per street frontage; 24 sq.ft.in sign area per side; 6' max height.			

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Section 16.44.040 “Animal Keeping” of the Murrieta Development Code is hereby amended to read as follows:

#### **“16.44.040 Animal Keeping.**

The purpose of this section is to ensure that the raising and maintenance of animals does not create an adverse impact on adjacent properties by reason of dust, noise, visual blight, odor, fumes, bright lights or insect infestations.

**A. Pre-existing Uses.** Any legally established noncommercial and nonconforming animal keeping use that became nonconforming upon adoption of this development code, shall be permitted to continue subject to [Chapter 16.32](#) (Nonconforming Uses, Structures, and Parcels).

**B. Existing Lots of Record.** Animals may be kept on legally established lots of record that are less than the minimum lot size reference in Table 16.44.040-1 subject to compliance with setback regulations of the underlying zoning district and subject to approval by the director.

**C. Permitted Uses.** Animal keeping uses allowed in Article II (Zoning Districts and Allowable Land Uses), shall comply with the standards provided in Table 16.44.040-1 below and with all other standards and requirements of this section and with all other applicable ordinances and regulations.

**D. Exempt Uses.** All permitted kennels shall be ruled exempt from the standards contained in Table 16.44.040-1, Animal Keeping Standards, and all other standards and requirements of this section.

#### **E. Animal Keeping Standards.**

1. The following standards shall apply to all animal keeping uses, where allowed within the residential zoning districts:

**TABLE 16.44.010-1  
ANIMAL KEEPING STANDARDS**

Type of Animal	Allowable Zoning District	Maximum Number of Animals per Site	Minimum Lot Size
Apiary (bees)	RR, ER	n/A	One-half (1/2) acre
Aviary	RR, ER	Fifty (50) birds per acre; more than fifty (50), subject to CUP	One-half (1/2) acre
Cats or dogs	All zones	Four animals each	None
	All zones	Eight animals total	Two acres
Chickens	RR, ER, SF1	4 12	7,200 sq. ft. to .49 acre



		30	.5 to 1 acre >1 acre
Chinchilla, nutria, hamsters, guinea pigs, cavy and similar small animals (raising for commercial purposes)	RR, ER	Subject to a CUP	One acre
Exotic or wild animals	RR, ER	Subject to a CUP	One-half (1/2) acre
Frog farm	RR, ER	Subject to a CUP	One acre
Household pets (e.g., birds, domesticated rodents, non- poisonous reptiles)	All zones	No maximum	None
Poultry, fowl (not including chickens)	RR, ER	Thirty (30) animals per acre	One-half (1/2) acre
Pot belly pigs (les than eighty (80) lbs.)	All zones	Four pigs	Five thousand (5,000) sq. ft.
Large (e.g., equine, bovine, bison or similar sized animals)	RR, ER	Five per acre	One-half (1/2) acre
Medium (e.g., sheep, goats, and similar sized animals)	RR, ER	One per five thousand (5,000) sq. ft.	One-half (1/2) acre
Small (e.g., rabbits, chinchillas, guinea pigs, hamsters, and similar sized animals)	All zones	Six per five thousand (5,000) sq. ft. up to one acre. One acre or larger, maximum one hundred (100).	Five thousand (5,000) sq. ft.

a. Setbacks for grazing, arenas, or areas where animals are kept apply to typical corral and fence construction. Barns, sheds, and similar accessory structures shall be subject to the standards and setbacks of the particular zoning district.

**TABLE 16.44.040-2**

Standard	Minimum Distance/Size
Setback Front	Zoning district setback
Side and rear	Minimum three feet
From any habitable dwelling	Minimum fifty (50) feet
Fence height	Minimum five feet
Corral size	Minimum two hundred eighty-eight (288) sq. ft. per animal (twelve (12) feet x twenty-four (24) feet) with a minimum ten foot interior dimensions

b. Apiaries, for the noncommercial use of occupants of the premises only, shall have all boxes or hives housing bees placed at least four hundred (400) feet from any highway, roads, or streets, any public school, park, property boundary or from any structure used as a dwelling or as a place of business. A water source shall be provided on-site.

c. Offspring born to an allowed animal kept on the site may be kept until the animals are weaned (cats and dogs - four months; large animals - six months; horses - twelve (12) months).

d. Rabbits shall be kept in an area with a wire mesh floor.

e. The keeping of animals shall be subject to the waste removal requirements of municipal code [Chapter 8.28](#) and any other applicable laws and ordinances.

f. The keeping of animals shall comply with all local, county, state, and federal regulations including obtaining and maintaining applicable licenses.

2. A conditional use permit is required for the establishment of commercial and noncommercial dog kennels and catteries, dog training schools, small animal shelters, and dog and cat breeding establishments with outside runs subject to the requirements of the county health department and the following provisions:

a. The minimum parcel size shall be one acre.

b. Animal runs shall be an adequate size for animals held herein.

c. Animal runs shall be constructed or coated with non-porous material to discourage the breeding of ticks and other similar pests.

d. Animal runs and animal holding areas shall have concrete or other durable flooring sloped for proper drainage.

e. Animal runs shall have adequate enclosures to provide protection from inclement weather.

f. Animal runs shall be provided with sufficient drains to control drainage and daily washing of the runs.

g. Kennels and catteries shall be serviced by sewer and all excrement produced by the animals shall be properly disposed of on a regular basis so as to control flies and odor, or stored in an enclosed container and disposed of on a regular basis. Existing kennels shall be permitted to remain on a septic system, including expansions to existing facilities. New expansions shall be subject to approval by the Riverside County environmental health department prior to issuance of building permits.

h. New kennels and expansions of existing kennels shall be subject to review and approval by the Riverside County health environmental department prior to the issuance of building permits.

i. Animal runs, exercise areas, or keeping of the kenneled animals for commercial or noncommercial purposes shall not be located within a required setback area.

j. Facilities for dog kennels and catteries, dog training schools, small animal shelters, and dog and cat breeding establishments shall be subject to the setback standards for the underlying district.

### 3. Animals at Large:

a. The animal control authority, peace officers, or persons employed for animal regulation purposes shall capture animals found at large within the city and shall handle the animals as impounded animals. Any owner or custodian of an animal found at large in the city shall be in violation of this section. An animal is at large whenever it is not on the premises of the owner or custodian of the animal and is unattended.

b. For any impounded animal, except a domesticated dog or cat, all reasonable costs incurred by the city and the animal control authority in connection with the capture and impoundment of the animal shall be the responsibility of the owner of the animal.

### 4. Chickens:

a. Chickens shall be contained within an enclosure or coop with an enclosed runway and an area providing protection from weather.

b. Enclosure or coop shall be in the rear or side yard and shall be setback ten feet from the rear and side yard property line.

c. The enclosure or coop shall be maintained in a clean and sanitary condition and free of ~~offensie~~offensive odors.

d. The slaughtering of any animal is prohibited in any residential zone.

e. Roosters are prohibited.

f. Chickens under the age of 6 months are not counted towards the maximum number of chickens as provided in Table 16.44.040-1.

g. The commercial keeping of chickens in residential zones is prohibited.”

Section 16.44.150 “Residential Accessory Uses and Structures” of the Murrieta Development Code is hereby amended to read as follows:

**“16.44.150 Residential Accessory Uses and Structures.**

This section provides standards for specific residential accessory uses and structures allowed in the zoning district applicable to a parcel. Residential accessory uses include any use that is customarily related to a residence, including, but not limited to, garages, greenhouses, storage sheds, studios, above ground swimming pools/spas and workshops. Accessory structures must obtain development plan approval pursuant to [Chapter 16.56](#) (Development Plan Permits) of this title if a new accessory structure or addition results in an increase of more than one thousand (1,000) square feet, unless otherwise identified in this Section. Accessory dwelling units (ADUs) are separately defined by state law from residential accessory uses and structures. Please see Section [16.44.160](#) (Accessory Dwelling Units) for definitions, criteria, and processing requirements.

**A. General Requirements.** Accessory uses and structures are subject to the following standards, except where more restrictive requirements are established by other provisions of this section for specific uses.

**1. Relationship of Accessory Use to the Main Use.** Accessory uses and structures shall be incidental to and not alter the residential character of the site.

**2. Attached Structures.** An accessory structure that is attached to a main structure shall be architecturally compatible with, and made structurally a part of the main structure (e.g., share a common wall with the main structure). It shall also comply with the requirements of this development code applicable to the main structure, including but not limited to setbacks, heights, and lot coverage, unless a minor variance is approved. For accessory structures that propose an ADU component, please refer to Section 16.44.160 and Government Code 65852.2 for criteria with respect to the ADU components of the structure.

**3. Detached Structures:**

**—a. Coverage.** The floor area of a single detached accessory structure shall not exceed one thousand (1,000) square feet, nor shall the sum of the floor area(s) of the total number of detached accessory structures exceed 40 percent, of the required rear yard of the parcel. A covered patio or barbecue area shall not be construed as an accessory structure for purpose of calculating floor area.

**b. Design.** Detached accessory structures shall be compatible with the materials and architecture of the main dwelling(s) on the property whenever feasible. For

accessory structures that propose an ADU component, please refer to Section [16.44.160](#).F.2 for the exterior design criteria.

**c. Setback Requirements.** Setbacks shall be as provided by Table ~~3-~~  
~~14~~[16.44.150-1](#) (Required Setbacks—Accessory Uses and Structures). For accessory structures that propose an ADU component, please refer to Section [16.44.160](#).F.1 for the setback criteria with respect to the ADU component of the structure.

**d. Height.** The maximum height of an accessory structure shall be in compliance with the height restriction for the zone, and shall not be greater than the height of the primary residence on the lot. An accessory structure proposing an ADU component shall be permitted to exceed the height of the primary residence for the portion of accessory structure containing and for accessing the ADU.

**B. Antennas.** Antennas are subject to the provisions of Section [16.44.170](#) (Telecommunications Facilities).

**C. Garages.** A detached accessory garage shall not be greater than one thousand (1,000) square feet or fifty (50) percent of the square footage of the main dwelling unit, whichever is less, or two thousand (2,000) square feet or fifty (50) percent of the square footage of the main dwelling unit in rural residential zones, whichever is greater. Size deviation may be authorized pursuant to section [16.56.020](#) (A).

**D. Greenhouses.** An accessory greenhouse may occupy up to five hundred (500) square feet for each dwelling unit or ten percent of the parcel, whichever is less.

**E. Guest Living Quarters.** Guest living quarters, ~~which are sometimes referred to as a Granny Flat or Guest House,~~ can be attached or detached for temporary use by guests or family members of the primary residence. Guest living quarters do not include a kitchen or wet-bar and may occupy up to 500 square feet [and include restroom facilities](#). ~~Guest living quarters may not be rented.~~

**F. Swimming Pools/Spas/Hot Tubs.** Private swimming pools, spas and hot tubs are allowed accessory to approved residential uses on the same parcel, subject to the following provisions:

**1. Limitation on Use.** The pool is to be used solely by occupants of the dwelling(s) on the same parcel and their guests; and

**2. Fencing.** The swimming pool shall be secured by fencing and/or walls to prevent uncontrolled access by children, in compliance with the building code.

**3. Setbacks.** Swimming pool/spa shall maintain the required setback which is measured from water edge to property line for in-ground pool/spa and from the outside edge of the structure to property line for above ground pool/spa, [and other above-ground structures such as slides, pool grottos, waterfalls, etc.](#)

**G. Tennis and Other Recreational Courts.** Noncommercial outdoor tennis courts and courts for other sports (e.g., racquetball, etc.) accessory to a residential use are subject to the following provisions:

**1. Fencing:** Shall be subject to the height limits of [Chapter 16.22](#) (Fences, Hedges and Walls); and

**2. Lighting.** Court lighting shall not exceed a maximum height of twenty (20) feet, measured from the court surface. The lighting shall be directed downward, shall only illuminate the court, and shall not illuminate adjacent property, in compliance with Section [16.18.100](#) (Lighting).

**H. Workshops and Studios.** Accessory structures intended for engaging in artwork, crafts, light hand manufacturing, mechanical work, etc. are subject to the following standards when located in a residential zoning district:

**1. Limitation on Use:** An accessory structure may be constructed or used as a studio or workshop in any residential zoning district for the following noncommercial activities:

- a. Amusements or hobbies;
- b. Artistic endeavors (e.g., painting, photography or sculpture);
- c. Maintenance of the main structure or yards;
- d. Maintenance or mechanical work on vehicles owned or operated by the occupants; or
- e. Other similar purposes.

Use of an accessory workshop for commercial activity shall be subject to the standards for home occupations, in compliance with [Chapter 16.60](#); and

**2. Floor Area.** A workshop shall not occupy an area larger than one thousand (1,000) square feet, except where a workshop is combined with a garage. In this case subsection C (Garages), above, shall apply.

**I. Rooming and Boarding House.** A rooming and boarding house (including sober living homes), as defined in [Chapter 16.110](#) of this title, may be established only upon approval of a conditional use permit for six (6) or fewer occupants, and shall be prohibited for more than six (6) occupants subject to the following standards (Short-Term Vacation Rentals that are regulated separately fall outside of this criteria. See, [Chapter 5.27](#) (Short-Term Vacation Rentals) of the Murrieta Municipal Code for further criteria on these uses):

**1. Filing Requirements.** In addition to the regular application information, the application for a conditional use permit for a rooming and boarding house or sober living home shall include the following information:

- a. Any proposed restrictions or limitations on the resident profile, such as men only, women only, families with children, elderly or special needs;
- b. The number of rooms to be used for sleeping purposes, and the maximum number of residents including on-site management staff, if any; and

- c. Any proposed limitations on the maximum stay for each resident.

**2. Site Location Criteria.** In evaluating a proposed rooming and boarding house or sober living home the following criteria shall be considered:

- a. Compatibility of the proposed use with neighboring uses;
- b. Whether the use will result in harm to the health, safety or general welfare of the surrounding neighborhood, and substantial adverse impacts on adjoining properties or land uses will not result;
- c. The proximity of the use to shopping and services, and access to public transportation; and
- d. To avoid an over-concentration of rooming and boarding houses and sober living homes, there shall be a minimum separation requirement of five hundred (500) feet, measured from the nearest outside building walls, between the subject use and any other rooming and boarding home or other group housing as defined in this title or in state law.

**3. Development Standards.** Any rooming and boarding house or sober living home shall comply with the following:

- a. Structures and landscaping shall be compatible with the character of the surrounding neighborhood;
- b. Sufficient on-site parking shall be provided (the precise number of parking spaces required will be determined by the approving authority based on the operating characteristics of the specific proposal);
- c. Both indoor and outdoor open areas shall be provided on site;
- d. All setback standards of the underlying zone shall be met; and
- e. Signs as permitted in [Chapter 16.38](#).

**4. Notification.** Notification of the conditional use permit public hearing shall be done in accordance with [Chapter 16.52](#) of this title.

**5. Existing Facilities.** Upon the expiration of any conditional use permit, an existing rooming and boarding house or sober living home must comply with the requirements of this Section [16.44.150](#).

**6. Changes to Operation.** Any change in operating conditions from what was originally approved and imposed by the city, including, but not limited to, the number of occupants or residents, or any modifications to the conditions of approval pursuant to the required conditional use permit, shall require the immediate submittal of a request for revision of the required conditional use permit.

**J. Parolee-Probationer Home.** A parolee-probationer home, as defined in [Chapter 16.110](#) of this title, may be established only upon approval of a conditional use permit



for six (6) or fewer occupants, and shall be prohibited for more than six (6) occupants subject to the following standards.

**1. Filing Requirements.** In addition to the regular application information, the application for a conditional use permit for a parolee-probationer home shall include the following information:

- a. Client profile (the subgroup of the population the facility is intended to serve);
- b. Maximum number of occupants, including support staff;
- c. Proposed maximum stay for each parolee-probationer;
- d. A description of support services to be provided on-site and projected staffing level, if any;
- e. Site plan and floor plans; and
- f. Rules of conduct and business management plan.

**2. Site Location Criteria.** In evaluating a proposed parolee-probationer home, the following criteria shall be considered:

- a. Compatibility of the proposed use with neighboring uses;
- b. Whether establishment of the facility will not result in harm to the health, safety or general welfare of the surrounding neighborhood, and substantial adverse impacts on adjoining properties or land uses will not result;
- c. Facility shall be located along or near a collector or arterial street with reasonable access to public transportation;
- d. Facility shall be accessible to necessary support services;
- e. To avoid an over-concentration of parolee-probationer homes, there shall be a one thousand (1,000) foot separation requirement as measured from the nearest outside building walls between the subject use and any other parolee-probationer home or other group housing as defined in this title or in state law;
- f. To avoid an over-concentration of group housing facilities, there shall be a one thousand (1,000) foot separation requirement as measured from the nearest outside building walls between the subject use and any other group housing as defined in this title or state law; and
- g. That parolee-probationer homes shall not be located within one thousand (1,000) feet of a public or private school (pre-school through twelfth (12th) grade), student housing, senior housing, child care facilities, public parks and trails, or businesses licensed for on- or off-site sales of alcoholic beverages, as measured from any point on the outside walls of the parolee-probationer home to the nearest property line of the noted use.



**3. Development Standards.** Any parolee-probationer home shall comply with the following:

- a. Facility shall be compatible with the character of the surrounding neighborhood;
- b. Sufficient on-site parking shall be provided (the precise number of parking spaces required will be determined by the approving authority based on the operating characteristics of the specific proposal);
- c. Both indoor and outdoor open areas shall be provided on site;
- d. All setback standards of the underlying zone shall be met;
- e. Signs as permitted in [Chapter 16.38](#);
- f. On-site staff supervision shall be required for parolee-probationer homes during all hours of operation;
- g. Individual client stays at parolee-probationer homes shall not exceed one hundred eighty (180) days; and
- h. The facility's management shall participate in any formal residential crime prevention program (i.e., Crime Free Multi-Housing Program) provided by the city and as required under the conditional use permit and, if the program offers certification, then that certification shall be obtained and maintained in current status.

**4. Notification.** Notification of the conditional use permit public hearing shall be done in accordance with [Chapter 16.52](#) of this title.

**5. Existing Facilities.**

- a. Upon the expiration of any conditional use permit, an existing parolee-probationer home must comply with the requirements of this Section [16.44.150J](#).
- b. An existing parolee-probationer home established pursuant to any conditional use permit discontinued for any period of time, excluding a maximum thirty- (30-) day closure required to perform necessary repair or restoration which does not increase the square footage of the residence, is deemed abandoned and any subsequent establishment of a parolee-probationer home on the premises shall be required to first obtain a new conditional use permit.

**6. Changes to Operation.** Any change in operating conditions from what was originally approved and imposed by the city, including, but not limited to, the number of occupants, residents or parolees- probationers, or modifications to the conditions of approval pursuant to the required conditional use permit shall require the immediate submittal of a request for revision of the required conditional use permit.

**K. Cargo Containers As An Accessory Structure.** The purpose of this section is to allow cargo containers to be placed on private property in a permanent manner that is safe and secure, will not create adverse impacts to either the property on which they are

located or to the immediate residential neighborhood and will not become a nuisance to the community.

1. Permanent use.

a. It shall be limited to one (1) cargo container for parcels between one (1) and two (2) acres. One (1) additional container may be proposed for parcels greater than two (2) acres.

b. The permanent placement of a cargo container shall be limited to the Rural Residential (RR) and Estate Residential 1 (ER-1) zones that are greater than one (1) acre or more.

c. The approval shall be specific to a location and shall not be transferable to other locations or property.

d. It shall meet all requirements as set forth in the California Building and Fire Code(s).

e. It shall be limited to a “storage occupancy” as categorized under the California Building and Fire Code(s).

f. It shall be accessory to the primary use of the property for the storage of nonflammable, noncombustible, nonhazardous materials and supplies.

g. The cargo container shall be modified in such a manner to match the main residential structure in terms of exterior colors, trim, and roofing style. On larger parcels, over two (2) acres or more, the modifications shall be limited to the paint color of the exterior in terms of matching the main residential structure.

h. Structure setbacks shall be provided as noted in Table ~~3-14~~[16.44.150-1](#).

i. It shall comply with and height and lot coverage thresholds as defined within Rural Residential (RR) and the Estate Residential 1 (ER-1) zones.

j. Landscape screening methods shall be provided on-site [for the portions of the container visible from the public right-of-way](#) to the satisfaction of the ~~Planning~~ [Development Services](#) Director or their designee.

k. Existing cargo containers at existing residential properties can remain in place 18 months from the effective date of Ordinance\_\_\_\_\_.

**TABLE ~~3-14~~[16.44.150-1](#)**  
**REQUIRED SETBACKS—ACCESSORY USES AND STRUCTURES**

<del>TABLE 3-14 REQUIRED SETBACKS—ACCESSORY USES AND STRUCTURES</del>		
Single-family Homes		
Accessory Structure	Type of Setback <sup>1</sup>	Required Setback <sup>2</sup>

Garage, gazebo, greenhouse, patio cover, storage shed, workshop (more than one hundred twenty (120) square feet)	Side and rear	Five feet; unless adjacent to a public street when the setback shall be ten feet
Gazebo, greenhouse, patio cover, storage shed, (less than one hundred twenty (120) square feet) <sup>3</sup>	Sides and rear	Three feet <a href="#">to the furthest projection</a>
Swimming pool, spa, fish pond, outdoor play equipment <sup>4</sup>	Sides and rear	Five feet
Stationary barbecue, fire pit, propane tank	Front, sides and rear	Ten feet  Three feet <a href="#">for non-high-fire zone areas of the City. For high-fire zone areas, please contact the City prior to placement for the minimum distance required to comply with the California Fire Code</a>
Air conditioning equipment, pool and spa equipment, ground-based antennas	Sides and rear	Four feet
Cargo Containers As An Accessory Structure <sup>76</sup>	Front, Side, min. distance from another structure, <a href="#">Rear</a>	Twenty-five feet  Ten feet,  Eight feet
<a href="#">Exterior staircases for balconies, pool slides</a>	<a href="#">Front,</a>  <a href="#">Side, min. distance from another structure,</a>  <a href="#">Rear</a>	<a href="#">Same as the main structure</a>  <a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>
<a href="#">Decks exempted from a building permit</a>	<a href="#">All sides</a>	<a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>

<a href="#">Decks requiring a building permit (Over 18 inches in vertical height)</a>	<a href="#">All sides</a>	<a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>
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<b>Multi-family Homes</b>		
<b>Accessory Structure</b>	<b>Type of Setback<sup>1</sup></b>	<b>Required Setback<sup>2</sup></b>
Garage, gazebo, greenhouse, patio cover, storage shed, workshop	All sides	<del>As required for main structure</del> <a href="#">Five feet; unless adjacent to a public street where the setback shall be ten feet</a>
Gazebo, greenhouse, patio cover, storage shed, (less than one hundred twenty (120) square feet) <sup>3</sup>	All sides	Three feet <a href="#">to the furthest projection</a>
Swimming pool, spa, fish pond, outdoor play equipment, <a href="#">waterslide</a> <sup>4</sup>	<del>Front</del> <a href="#">All sides</a>	Ten feet
Stationary barbecue, fire pit, propane tank	Sides and rear Front Sides and rear	Ten feet  Three feet <a href="#">for non-high-fire zone areas of the City. For high-fire zone areas, please contact the City prior to placement for the minimum distance required to comply with the California Fire Code</a>
Air conditioning equipment, pool and spa equipment, ground-based antennas <sup>6</sup>	Sides and rear	<del>Four</del> <a href="#">Five</a> feet
<a href="#">Exterior staircases for balconies, pool slides</a>	<a href="#">Front,</a> <a href="#">Side, min. distance from another structure,</a> <a href="#">Rear</a>	<a href="#">Same as the main structure</a>  <a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>

<a href="#">Decks exempted from a building permit</a>	<a href="#">All sides</a>	<a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>
<a href="#">Decks requiring a building permit (Over 18 inches in vertical height)</a>	<a href="#">All sides</a>	<a href="#">Shall meet the minimum requirements as provided under the California Fire and Building Code(s)</a>
<p>Notes:</p> <p>(1) Where a parcel is situated so that the front, side, or rear property lines are not readily determinable, required setbacks shall be established by the director.</p> <p>(2) A structure, projection or equipment shall not be placed or occur beyond the <del>property lines of the subject parcel</del> setbacks as identified in Table 16.44.150-1.</p> <p>(3) Building permits are not required for accessory structures one hundred twenty (120) square feet or less in area and twelve (12) feet or less in height. <a href="#">However, if a structure is proposing plumbing, electrical, or mechanical components, a building permit is required.</a></p> <p><del>(4) Pools and/or spas may be allowed no closer than three (3) feet as determined by the director. A minor variance may be required if at the discretion of the director, it is determined that the reduced setback could cause adverse impacts to adjacent properties (see Section 16.72.020).</del></p> <p><del>(4)(5)</del> Existing single-family detached lots with lot widths less than required by the zone may utilize a reduced setback equal to ten percent (10%) of the lot width but in no case closer than three (3) feet.</p> <p><del>(5)(6)</del> Small structures that are less than six (6) feet in height and do not extend above an adjoining solid fence or wall is exempt from setback requirements.</p> <p><del>(6)(7)</del> Limited to Rural Residential (RR) and Estate Residential (ER-1) Zones with a minimum of a one (1) acre parcel area.</p>		

”

Section 16.44.160 “Accessory Dwelling Units” of the Murrieta Development Code is hereby amended to read as follows:

#### **16.44.160 Accessory Dwelling Units.**

**A. Purpose.** This section provides standards for the establishment of accessory dwelling units. Pursuant to Government Code ~~66323~~~~65852.2~~ local governments have the authority to adopt regulations designed to promote accessory units. An accessory dwelling unit which conforms to the requirements of this Section [16.44.160](#) shall not be

considered to exceed the allowable density for the lot upon which it is located and shall be deemed to be a residential unit, which is consistent with the General Plan and zoning classification for the lot.

**B. Definitions.** The following are definitions of specialized terms and phrases used in this chapter. Definitions of general terms and phrases are located in Article VI (Development Code Definitions).

1. *Accessory Dwelling Unit (ADU)*. Refer to Government Code Section ~~65852.2~~ [66313](#) for definition.
2. *Junior Accessory Dwelling Unit (JADU)* shall have the same meaning as defined in Government Code Section [66313](#)~~65852.2 and 65852.22~~.
3. *Public Transit* means, including but limited, a fixed-route service open to the public at large and includes transit stations, bus stations, and bus stops, as operated by the Riverside Transit Agency or another fixed route service as adopted by City Council resolution as it pertains to Chapter [16.44.160](#) of this title.

**C. Standard of Review.** ADU and JADU applications shall be considered a ministerial action without discretionary review or a public hearing if all requirements of this Section [16.44.160](#) are met, notwithstanding any other requirements of state law or this development code.

**D. Number of Accessory Dwelling Units and Junior Accessory Dwelling Units Allowed.** The number of *accessory dwelling unit(s)* and *junior accessory dwelling unit* on a parcel shall be allowed pursuant to State Law as applicable to single-family, multi-family, and mixed-zoned parcels:

1. At a residential parcel with an existing or proposed single-family dwelling: one *ADU* and one *JADU* shall be permitted. An *ADU* may be combined with a *JADU* unit within a single-family residence pursuant to the requirements of Government Code Section [66323](#)~~65852.2~~.
2. At a parcel with an existing multi-family dwelling, two detached ADUs shall be permitted pursuant to Government Code Section [66323](#)~~65852.2~~. Additionally, one ADU and 25 percent of the number of existing units within the multi-family building may be counted towards the conversion requirements of Government Code Section [66323](#)~~65852.2~~.

**E. Site Requirements.** A parcel proposed for an accessory dwelling unit shall comply with all the following requirements:

1. The parcel shall allow for setbacks for an *ADU* or *JADU* consistent with Government Code Section [66323](#)~~65852.2 and 65852.22~~.
2. Occupancy requirements of the *ADU* and *JADU* shall be consistent with the provisions of Government Code Section [66315](#)~~65852.2~~. For a *JADU*, a covenant shall be recorded in the Riverside County clerk's office against the title declaring that the

property owner must occupy either the primary residence or the *JADU* [consistent with the provisions of Government Code Section 66333](#).

3. An *ADU* may only be sold in limited situations pursuant to Government Code Section [\(s\) 66340 and 66341](#) ~~65852.26~~.

4. A covenant shall be recorded in the Riverside County clerk's office against the title of the parcel declaring that the *ADU(s)* and/or *JADU* shall not be used for short term rentals less than 30 days.

**F. Design Standards.** An *ADU* and *JADU* shall meet the following:

1. Size and Setback Restrictions:

a. A *JADU* shall be reflective of the setback and square footage provisions consistent with Government Code [Section\(s\) 66313 and 66323](#) ~~65852.2 and 65852.22~~.

b. An attached or detached *ADU* shall be reflective of the setback and square footage provisions consistent with Government Code [Section 66323](#) ~~65852.2~~.

c. If the *ADU* and/or *JADU* unit is proposed within the parameters of an existing or proposed single-family dwelling, any proposed expansion shall be consistent with the requirements of Government Code [Section 66323](#) ~~65852.2~~. If the *ADU* is proposed within the parameters of an existing accessory structure, any proposed expansion shall be consistent with the requirements of Government Code [Section 66323](#) ~~65852.2~~. *ADU* and *JADU* types are also required to meet fire and safety standards per Government Code [Section 66323\(a\)\(1\)\(C\)](#) ~~65852.2(e)(1)(A)(iii)~~.

2. Architecture and Standards:

a. At single-family locations the exterior roofing, trim, walls, windows and the color palette of the *ADU* or *JADU* shall incorporate the same features as the main dwelling unit;

b. At multi-family locations, the exterior roofing, trim, walls, windows and the color palette of the *ADU* addition shall incorporate the same features as the existing building that the *ADU* would be provided within. For detached *ADUs*, it shall be reflective of the nearest building as measured from the wall of the existing building to the nearest wall of the proposed unit.

c. Restroom and kitchen facilities for *ADUs* and *JADUs* shall be provided consistent Government Code [Section\(s\) 66323](#) ~~65852.2~~ and [66333](#) ~~65852.22~~.

d. Access for *ADUs* and *JADUs* shall be provided consistent Government Code [Section\(s\) 66323](#) ~~65852.2~~ and [66333](#) ~~65852.22~~.

**G. Parking.** The *ADU* shall provide one off-street parking space in addition to that required for the main dwelling unit, in compliance with [Chapter 16.34](#) (Off-Street Parking and Loading Standards). No off-street parking is required for the *ADU* if it meets any of the following:



1. Is within a half mile walking distance from public transit. Refer to definition in Section [16.44.160.B](#).
2. Is within an architecturally and historically significant historic district.
3. Is in an area where on-street parking permits are required, but not offered to the occupant of the *ADU*.
4. Is located within one block of a car share area.
5. The *ADU* is a part of the proposed or existing primary residence or an accessory structure.
6. Is a *JADU* as defined under Government Code [Section 65852.21](#) ~~65852.2 and 65852.22~~.

**H. Review of Application.** Review of the *ADU* and *JADU* shall be consistent with the following:

1. A permit application for an *ADU* or a *JADU* unit shall be considered and approved ministerially without discretionary review or a hearing.
2. The City shall act on an application to create an *ADU* or a *JADU* within 60 days from the date the local agency receives a completed application.
3. If the permit application to create an *ADU* or a *JADU* is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the *ADU* or the *JADU* until the City acts on the permit application to create the new single-family dwelling, but the application to create the *ADU* or *JADU* shall be considered without discretionary review or hearing. If the applicant requests a delay, the ~~60day~~ [60-day](#) time period shall be tolled for the period of the delay.

**I. Conflicting Standards.** If there is a conflicting applicability between the requirements of this section and requirements as described under State Law, State Law shall apply.”

16.44.170 “Telecommunications Facilities” Subsection (A)(6) of the Murrieta Development Code is hereby amended in part to read as follows:

“

...

**6. Nonresidential Zoning District Standards.** In nonresidential zoning districts, satellite dishes may be roof- or ground-mounted subject to the following standards.

**a. Development Plan Permit.** A development plan permit in compliance with Chapter 16.56 (Development Plan Permits) shall be required for the construction and/or placement of a satellite dish in a commercial, [innovation](#), or industrial zoning district.



**b. Ground-mounted.** If ground-mounted, dishes shall not be located between a structure and an ~~ad-joining~~adjoining street and shall be screened from public view and neighboring parcels.

**c. Roof-mounted.** If roof-mounted, dishes shall be screened from ground view by a parapet or other type of screening. The minimum height and design of the parapet, wall or screening shall be subject to the approval of the director. Screening materials shall be architecturally compatible with the rest of the structure.

**d. Diameter.** The diameter of a ground-mounted satellite dish shall not exceed eight feet. This provision may be modified by the director if strict compliance would result in substandard reception.

**e. Height and Location.** The height and location of the satellite dish shall comply with the requirements of the applicable zoning district. The height provision may be modified by the director if strict compliance would result in substandard reception.

**f. Setbacks.** If the subject parcel abuts a residential zoning district, the dish shall be set back a ~~mini-mum~~minimum distance from the lot line equal to the height of the antenna.”

Section 16.44.180 “Vehicle Dealerships” of the Murrieta Development Code is hereby amended to read as follows:

**“16.44.180 Vehicle Dealerships.**

**A. Design Issues.** Vehicle dealerships are establishments that specialize in the sale of one or more lines of new automobiles and/or used vehicles~~(including used vehicles)~~ and in the servicing of that line or lines. ~~Dealerships are regional in nature and can have a market radius well in excess of twenty (20) or thirty (30) miles.~~

~~The major portion of a vehicle dealership site is typically used for outdoor storage and display of vehicles and a relatively minor portion is used for structures and customer parking. By their nature, vehicle dealerships tend to be poor neighbors for residential uses and this relationship should be avoided, if possible.”~~

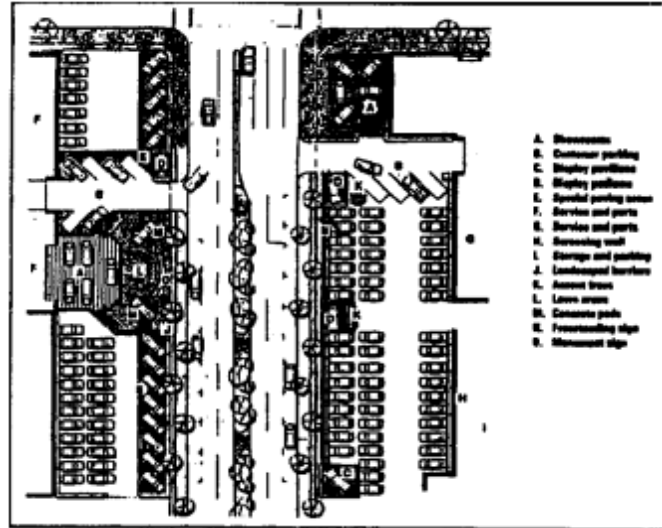
**B. Site Planning.**

1. Showrooms shall be oriented toward major public streets.
2. Outdoor vehicle display areas shall occur only on permanent at-grade display areas or low-rise platforms (four feet maximum) that are architecturally compatible with the project. Rotating vehicle display plat-forms are not allowed.
3. Provisions shall be made onsite for the unloading of vehicles from carriers. Vehicle unloading on non-residential streets may occur in the right-of-way only if special turn-outs are provided.

4. Screened storage areas shall be provided for vehicles awaiting repairs.
5. Potentially noisy activities, (e.g., vehicle repair, cleaning, or testing) shall not be located near or oriented towards residential.
6. Customer parking shall be provided for the sales, service, and parts areas.
7. Sufficient space shall be provided for service drop-offs to prevent stacking of waiting vehicles onto a public street.
8. All [non-vehicle](#) storage areas shall be screened from view from the public street and any adjacent residential area. No storage, except vehicle storage, shall occur that is visible from a public street.

### C. Building Design.

1. Buildings shall be stylistically consistent on all sides, carefully detailed, and architecturally related to each other.
2. Service uses shall be wholly contained within a building of solid (e.g. masonry) construction. All vehicle access to the individual service bays shall be from within the building itself with no more than two or three exterior doors to provide access to the building. The access points to the service building shall not be visible from or face toward a public street or any adjacent residential uses.
3. Walls and fences shall be architecturally compatible with the buildings.



### D. Special Requirements.

1. All outdoor lighting shall be consistent with the Mount Palomar dark sky provisions regarding lighting see Section [16.18.110](#) (Mount Palomar Lighting Standard).
2. Public address systems, shall not be used in outdoor areas. Beepers and/or personal pagers can be used if necessary to contact employees outdoors.
3. Wash racks shall be located so that they are not visible or audible from a public

street or residential area. Wash areas shall be designed to comply with city requirements for stormwater/urban runoff management and discharge controls.

4. All non-vehicle storage areas shall be screened from public view from adjoining properties and from the public right-of-way ~~rights-ofway~~ by appropriately designed walls and landscaping.

5. Compressors and similar equipment shall be located in the interior of the site to minimize impacts on adjacent properties.

6. Because landscaping along display perimeters is typically minimal and low level, other landscaped areas shall be designed to compensate for the absence of vertical landscape elements. Building perimeters shall be heavily landscaped and parking lots shall contain significantly more landscaping than is required for retail commercial parking lots.

7. All new dealerships whose sales consist primarily of new vehicles shall submit a comprehensive sign program application consistent with § 16.38.060. If no sign program is approved, the dealership will be subject to the sign standards of the zone.”

Section 16.44.230 “Wedding/Event Facilities in the RR and ER Districts” of the Murrieta Development Code is hereby amended to read as follows:

**“16.44.230 Wedding/Event Facilities in the RR and ER Districts.**

**A. Purpose and Intent.** It is the purpose and intent of this section to allow a homeowner with a property of ~~four and one-half (4.5)~~ five (5) acres or greater to utilize their residence for occasional weddings or events within the RR and ER districts. Implementation of the regulations and standards within this section will ensure that wedding/event facilities in the RR and ER districts will be conducted in an orderly manner that will not result in a change to the residential character of the surrounding community.

The standards contained below will be placed on properties authorized to hold wedding/events within the RR and ER Districts, based on the parcel size and proximity to existing improvements.

**B. Wedding/Event Facilities - General.** Wedding/event facilities may be allowed on properties of ~~four and one-half (4.5)~~ five (5) acres or greater in the RR and ER districts subject to the approval of a minor conditional use permit pursuant to Chapter 16.52 (Conditional Use Permit), in compliance with, but not limited to, the following standards:

**1. Parking.** Adequate on-site parking facilities, pedestrian and vehicular circulation, and vehicular ingress and egress, shall be provided in compliance with Chapter 16.34 (Off-Street Parking and Loading Standards) and Section 16.44.230.C .

**2. Number of Days/Hours of Operation.** The director shall impose reasonable restriction on the number of events that can occur during a week, on which days of the

week these can occur and the hours of operation. Specific criteria are contained in Section 16.44.230.C.

**3. Sanitary Facilities.** The director shall determine the appropriate quantity and location for any for sanitary facilities. All facilities shall be located on-site, and shall comply with accessibility requirements and the requirements of the Riverside County Health Department. Additional criteria are contained in Section 16.44.230.C.

**4. Security.** Provision for security and safety measures shall be provided, if applicable. Recent contact information shall be maintained on file with the city at all times.

**5. Signs.** One externally illuminated monument sign shall be permitted and shall be located at access points to the parcel, subject to the following criteria:

- a. Signs are allowed only for frontages adjoining a public street;
- b. Monument signs shall not be located closer than five feet from a property line;
- c. The maximum sign area shall be twenty (20) square feet per side and not exceed four (4) feet in height;
- d. Signs shall be constructed of natural materials;
- e. Landscaping shall be provided at the base of the supporting structure equal to twice the area of one face of the sign;
- f. The monument sign shall not be illuminated after 10:00 p.m. on evenings when there are no events and shall be turned off at the conclusion of events;
- g. Monument signs shall contain an address plate identifying the project or use by specific street address. The address plate shall not exceed four square feet in area. Numbers shall be a minimum of six inches in height. Address plates shall not be calculated against the allowed sign area;
- h. Illumination shall be down lit and shall not be allowed to spill over into, or provide glare, to adjacent properties or rights-of-way;
- i. On-site directional signage shall be no larger than twelve (12) square feet in area and its design shall be complimentary to the monument sign.

**6. Solid Waste Collection and Disposal.** The facility shall include provisions for solid waste, recycling and/or disposal with specific criteria contained in Section 16.44.230.C.

**7. Other Conditions.** The director shall require any other conditions which will ensure the operation of the facility in an orderly and efficient manner and in full compliance with the purpose/intent of this section.

**C. ~~Site-Specific~~ Site-Specific Development Performance Standards.**

**1. Days and Hours of Operation.** The site may be used for a maximum of two events per week, unless otherwise modified by the permit approval. No more than two events may occur on sequential dates. All events shall begin after 10:00 a.m. and shall be completed by 12:00 a.m.

**2. Noise Levels and Monitoring.** Noise levels generated from events shall be subject to the following criteria:

a. All noise generated by the event use shall conform to the thresholds established for Zone II of Table 3-6, Exterior Noise Standards of section 16.30.090 (Exterior Noise Standards), and shall be subject to the provisions contained therein;

b. Noise levels for events shall not exceed the city's noise standards, either during set up or as part of the event;

c. The applicant shall monitor and ensure that the noise levels shall not exceed City of Murrieta noise standards;

d. Any noise generating activities shall be terminated at 10:00 p.m.

**3. Ancillary Structures.**

a. If an ancillary structure is provided as part of the project approval, ancillary structures shall be permanent construction, shall be fully enclosed, or enclosable on four sides, and shall have a roof. Ancillary structures shall be complimentary in terms of size, scale, and materials used on the primary structure on the site;

b. Ancillary structures shall be subject to the setbacks for accessory structures in contained in Table 16.08-1, (Residential Zones General Development Standards Requirements by Individual Zoning District) of section 16.08.020 (Residential Districts General Development Standards) with the exception that structures cannot exceed forty (40) feet in height, and be no larger than 7,500 square feet in size.

**4. On-site Parking Requirements.**

a. All on-site parking areas do not need to be paved; however, they must be stabilized in order to minimize any off-site dust impacts and for compliance with water quality control purposes;

b. Adequate parking must be provided based on maximum occupancy of site. Occupancy will be determined based on the seating capacity of the special event;

c. If buses or limousines are proposed for off-site transport, adequate drop off and pick up locations must be provided on site.

**5. Location Requirements.** Any parcel where a facility is proposed shall have access to a paved and maintained public street.

**6. Solid Waste Collection and Disposal.** On-site waste collection shall be located onsite as to not create any off-site noise, odors or nuisances. Solid waste shall be removed from the site within forty-eight (48) hours of any event.

**7. Sanitary Facilities.** Any potable sanitary facilities shall not be located any closer than twenty-five (25) feet from an adjacent property with a residential use. Sanitary waste shall be removed from the site within 48 hours of any event, or determined through the minor conditional use permit.”

Section 16.44.250 “Cannabis and Hemp Use” Subsection C(3)(e)(ii) of the Murrieta Development Code is hereby amended to read as follows:

“ ..

ii. A Medicinal Cannabis Delivery Service (Physical Delivery Logistics Location) shall not be located within 500 feet of a sensitive uses. or any other medicinal cannabis delivery business location. Distance specified in this subsection shall be measured by the horizontal distance measured in a straight line from the property lines of where the delivery-only medicinal cannabis operator is to be located to the property line of the potential sensitive use. For business condominiums, this measurement would be taken from outer boundaries of the common parcel where the structure is located and not from the building. Sensitive uses for purposes of this Section include:

- A. Residential zones or private residences.
- B. Public or private schools.
- C. Daycare centers.
- D. Churches.
- E. Public parks.
- F. Youth activity centers.

G. Large medical centers.

HG. Any other medicinal cannabis delivery service business.”

Section 16.46.040 “Planning Commission” of the Murrieta Development Code is hereby deleted in its entirety:

~~“16.46.040 Planning Commission.~~

~~D.— Report of commission actions to city council. All actions taken by the planning commission shall be reported to the city council as follows:~~



- ~~—1. All actions taken by the planning commission shall be reported by the planning officer to the city clerk, and shall be placed on the next agenda of the city council after receipt of the report by the city clerk; and~~
- ~~—2. When an action taken by the planning commission is placed on the city council agenda, the city council may elect to consider the matter and/or schedule the matter for a hearing or public hearing before the city council; and~~
- ~~—3. An action of the planning commission shall be considered final after the city council has heard and decided the matter or elected not to hear and not to further consider the matter and upon the expiration of all rights to appeal the planning commission action pursuant to Chapter 16.78 or other applicable provision of this code.”~~

Section 16.90.020 “Final Review Authority” of the Murrieta Development Code is hereby amended to read as follows:

**“16.90.020 Final Review Authority.**

**A. City Engineer.** The city engineer shall have final authority in the approval, conditional approval or disapproval of certificates of compliance, lot line adjustments, [final map approvals](#), and parcel mergers.

**B. Commission.** The commission shall have final authority in the approval, conditional approval or disapproval of reversions to acreage, tentative parcel maps, tentative tract maps, and vesting tentative maps.

**C. Council.** The commission shall act as the appeal body for director and city engineer decisions unless a different review authority is established by the city council, while the council shall act as the appeal body for hearing appeals pertaining to all commission decisions, in compliance with Chapter 16.78 (Appeals).”

Section 16.90.040 “City Engineer” of the Murrieta Development Code is hereby amended to read as follows:

**“16.90.040 City Engineer.**

The city engineer shall be responsible for the following:

**A. Final and Parcel Maps.** The processing ~~and recommendation to the council on all matters pertaining to~~ [of](#) final and parcel maps;

**B. Subdivision Improvements.** Determining if proposed subdivision improvements comply with the provisions of this article, the subdivision map act and city adopted improvement standards;

**C. Construction Details.** Establishing design and construction details, improvement standards and specifications;

**D. Application Processing.** Processing of certificates of compliance, lot line adjustments, mergers/unmergers, and correction and amendment of maps;

**E. Inspection and Approval.** The inspection and approval of subdivision improvements;

**F. Collection of Fees.** Collection of applicable engineering/plan check fees, deposits, establishment of security amounts, improvement bonds, and other financial provisions;

**G. Acceptance by the City.** Acceptance by the city of lands proposed for dedication to the city by means other than final map;

**H. Improvement Agreements.** Execution of improvement agreements on behalf of the city in conformance with ~~upon approval of tentative~~ subdivision maps approved by the council; and

**I. Time Extensions.** Approval of time extensions for installation of improvements required by subdivision agreements.”

Section 16.98.040 “Survey Required” of the Murrieta Development Code is hereby amended to read as follows:

**“16.98.040 Survey Required.**

**A. Complete Survey.** An accurate and complete survey of the land to be subdivided shall be made by a registered civil engineer or licensed land surveyor.

**B. Survey Elements.** All alleys, blocks, centerlines of streets, curves, easements, monuments, parcels, and property lines adjoining or within the subdivision shall be tied into the survey.

**C. Adjoining Properties.** All adjoining properties shall be identified by block, parcel, property owners, and tract designation.

**D. Error of Closure.** The allowable error of closure on any portion of the final map shall be in compliance with the requirements of the county surveyor.

**E. Net Acreage.** Parcels containing one acre or more shall show net acreage to the nearest one-one hundredth.

**F. Setting of Monuments.** At the time of making the survey for the final map, the engineer or surveyor shall set sufficient durable monuments to conform with the standards required by state law (Business and Professions Code Section 8771) so that another engineer or surveyor may readily retrace the survey, in compliance with state law (Government Code Sections 66495 and 66496). At least one exterior boundary line shall be monumented before recording the final map. Every final map shall show the following monuments:



1. Boundary monuments. The exterior boundary of the subdivision shall be monumented with permanent monuments not smaller than two-inch iron pipes at least twenty-four (24) inches long set at each corner and at intermediate points along the boundary not more than one thousand (1,000) feet apart and at the beginning and end points of all curves. If any existing record and identified monument meeting the foregoing requirements is found at any corner or point, the existing monument(s) may be used in lieu of a new monument;

2. Lot corner monuments. All lot corners, except when coincident with exterior boundary corner, shall be monumented with permanent monuments of one of the following types:

- a. Three-quarter-inch diameter iron pipe at least twelve (12) inches long;
- b. One-half-inch diameter steel rod at least twelve (12) inches long; or
- c. Lead plug and copper identification disks set in concrete sidewalks or curbs.

3. Additional monuments to mark the limiting lines of streets as the city engineer may require;

4. All other monuments set or proposed to be set.

a. The subdivider shall cause the foregoing monuments to be set by a licensed surveyor or engineer.

b. All monuments and their installation shall conform to city standards.

c. All of the foregoing monuments shall be set before the approval of the map by the ~~Council~~-city engineer unless the setting thereof is deferred in compliance with state law (Subdivision Map Act Section 66496). However, the setting of exterior boundary monuments shall not be deferred unless the city engineer determines that the monuments might be disturbed by the construction of the improvements.

d. Where the setting of monuments is deferred following filing of a final map, the monuments shall be set within thirty (30) days after the completion of the required improvements and before the acceptance by the city. The setting of monuments shall not be deferred if a parcel map is filed unless expressly allowed by the city engineer.”

Section 16.110.020 “Definitions of Specialized Terms and Phrases” of the Murrieta Development Code is hereby amended to read as follows:

#### **16.110.020 Definitions of Specialized Terms and Phrases.**

“... ”

**Gross floor area (GFA).** Means the total area of all floors of a building, as measured to the outside surfaces of exterior walls. Gross floor area includes halls, stairways, elevator shafts, on grade, semi-subterranean, and subterranean garages, lofts and

mezzanines, basements, and finished or habitable attics, except as otherwise defined or exempted in a specific Section of this Title. For the purposes of calculating GFA for all residential dwelling units, outdoor roof deck or balcony areas open to the sky or covered by patio cover or similar structure, when enclosed on all sides by a parapet, solid railing or building wall greater than three feet six inches (3'-6") in height, shall be included. However, open areas within the building above normal ceiling height shall not be calculated.

#### **"1.26.070 Appeal of Administrative Citation.**

Any recipient of an administrative citation may contest that there was a violation of the Murrieta Municipal Code, or that he or she is the responsible person, by submitting a written request for a hearing, and returning it to the designated collector as noted on the citation, within ~~thirty (30)~~ ~~twenty (20)~~ days from the date of the issuance of the administrative citation, together with an advanced deposit of the fine. Any administrative citation fine which has been deposited shall be refunded if it is determined, after a hearing, that the person charged in the administrative citation was not responsible for the violation(s) or that there was no violation(s) as charged in the administrative citation."

Section 8.20.020 "Definitions" of the Murrieta Municipal Code is amended, to add a definition for "responsible party" in alphabetical order and to replace the definition of "Violator," in its entirety, as the follows:

Section 8.28.160 of the Murrieta Municipal Code is hereby amended to read as follows:

#### **~~"8.28.160 Enforcement.~~**

~~—A. Violation of any provision of this chapter shall constitute grounds for issuance of a notice of violation and assessment of a fine by the enforcement official in accordance with 14 CCR Section 18995.4. Enforcement actions under this chapter are issuance of an administrative citation and assessment of a fine. The city's procedures on imposition of administrative fines set forth in this code are hereby incorporated in their entirety, as modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated in this chapter. Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The city may pursue civil actions in the state courts to seek recovery of unpaid administrative citations. The city may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of city staff and resources. Notwithstanding the foregoing, in addition to any notice of violation, for incidences of prohibited container contaminants found in containers, city or its authorized collector will issue an informational notice of contamination to any generator~~

~~or responsible party found to have prohibited container contaminants in a container. Such notice will be provided via a cart tag, electronic notice, or other communication immediately upon identification of the prohibited container contaminants or within sixty (60) days after determining that a violation has occurred. Prohibited container contaminants in a responsible party's containers on more than three (3) consecutive occasions may subject the generator to a contamination processing fee or enforcement action.~~

~~—B. Enforcement pursuant to this chapter may be undertaken by the enforcement official.~~

~~—C. Fines for violations. The fines for violations of the provisions of this chapter are as follows, subject to modifications by resolution of the city council:~~

~~—1. For a first violation, the penalty shall be one hundred dollars (\$100) per violation.~~

~~—2. For a second violation, the penalty shall be two hundred dollars (\$200) per violation.~~

~~—3. For a third or subsequent violation, the penalty shall be five hundred dollars (\$500) per violation.~~

~~—D. Compliance deadline extension considerations. The city may extend the compliance deadlines set forth in a notice of violation if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:~~

~~—1. Acts of God such as earthquakes, pandemics, epidemics, wildfires, flooding, and other emergencies or natural disasters;~~

~~—2. Delays in obtaining discretionary permits or other government agency approvals; or~~

~~—3. Deficiencies in organic waste recycling infrastructure or edible food recovery capacity and the city is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies. (Ord. 575 § 2, 2022)~~

#### **8.28.160 Enforcement. Unlawful and Prohibited Acts – Removal of Refuse**

No person, other than the person in charge of any premises, or the person authorized by law to remove any container or bin from the location where the container was placed by the person in charge of storage or collection shall remove any refuse from any container or bin, or move the container or bin from the location in which it was placed for storage or collection, without the prior written approval of the person in charge of such premises."

Section 8.28.170 of the Murrieta Municipal Code is hereby added as follows:

#### **"8.28.170 Enforcement.**

A. Violation of any provision of this chapter shall constitute grounds for issuance of a notice of violation and assessment of a fine by the enforcement official in accordance with 14 CCR Section 18995.4. Enforcement actions under this chapter are issuance of an administrative citation and assessment of a fine. The city's procedures on imposition of administrative fines set forth in this code are hereby incorporated in their entirety, as

modified from time to time, and shall govern the imposition, enforcement, collection, and review of administrative citations issued to enforce this chapter and any rule or regulation adopted pursuant to this chapter, except as otherwise indicated in this chapter. Other remedies allowed by law may be used, including civil action or prosecution as a misdemeanor or infraction. The city may pursue civil actions in the state courts to seek recovery of unpaid administrative citations. The city may choose to delay court action until such time as a sufficiently large number of violations, or cumulative size of violations exist such that court action is a reasonable use of city staff and resources. Notwithstanding the foregoing, in addition to any notice of violation, for incidences of prohibited container contaminants found in containers, city or its authorized collector will issue an informational notice of contamination to any generator or responsible party found to have prohibited container contaminants in a container. Such notice will be provided via a cart tag, electronic notice, or other communication immediately upon identification of the prohibited container contaminants or within sixty (60) days after determining that a violation has occurred. Prohibited container contaminants in a responsible party's containers on more than three (3) consecutive occasions may subject the generator to a contamination processing fee or enforcement action.

B. Enforcement pursuant to this chapter may be undertaken by the enforcement official.

C. Fines for violations. The fines for violations of the provisions of this chapter are as follows, subject to modifications by resolution of the city council:

1. For a first violation, the penalty shall be one hundred dollars (\$100) per violation.
2. For a second violation, the penalty shall be two hundred dollars (\$200) per violation.
3. For a third or subsequent violation, the penalty shall be five hundred dollars (\$500) per violation.

D. Compliance deadline extension considerations. The city may extend the compliance deadlines set forth in a notice of violation if it finds that there are extenuating circumstances beyond the control of the respondent that make compliance within the deadlines impracticable, including the following:

1. Acts of God such as earthquakes, pandemics, epidemics, wildfires, flooding, and other emergencies or natural disasters;
  2. Delays in obtaining discretionary permits or other government agency approvals;
- or
3. Deficiencies in organic waste recycling infrastructure or edible food recovery capacity and the city is under a corrective action plan with CalRecycle pursuant to 14 CCR Section 18996.2 due to those deficiencies."

Section 10.44.020 of the Murrieta Municipal Code is hereby added as follows:

**“10.44.020 Parking prohibitions for certain vehicles.**

It is unlawful for any person to park or leave standing on any private or public property within residential or commercial zoning districts of the city, the following types of vehicles: any commercial vehicle, oversized vehicle, recreational vehicle, vessel, or non-self-propelled vehicle, as defined in Chapter [10.08](#) and [10.32](#) of this code, and similar such vehicles, unless as specifically allowed and described herein:

A. It is unlawful to park, keep, or store any oversized vehicle, recreational vehicle, non-self-propelled vehicle, vessel, or similar such vehicles, within any portion of the front yard setback, as defined by this code. Except that, if such vehicles are kept, parked, and stored permanently on private property, other than the front yard setback, they shall be screened from view to the required fence height allowed by this code. Wrought iron fencing, landscape material, and lattice shall be considered as acceptable screening materials. Recreational vehicles shall be allowed for a total of forty-eight (48) hours before and after a recreational trip only, and not in combination with any other public right-of-way parking exemption. This provision shall not apply to commercial vehicles weighing ten thousand (10,000) pounds or less, and/or having a width of ninety-two (92) inches or less, and/or having a length of twenty-one (21) feet or less, and/or having a height of eight (8) feet or less, if such vehicle is parked on an approved surface in the front yard setback and is limited to two such vehicles per residence.

B. It is unlawful to park, keep, store or leave standing, any trailer or semitrailer having a gross vehicle weight of ten thousand (10,000) pounds or more on public or private property within a residential zoning district of the city; unless, specifically in the performance of duties related to the picking up or delivering of merchandise, goods, wares; or, providing service to such building or structure for which an actual and bona fide repair, alteration, remodel, or construction has been allowed by a building permit.

C. It is unlawful to park or leave standing any truck, tractor, trailer or semitrailer as defined in the California Vehicle Code, or other commercial vehicle having a manufacturer's gross weight bearing of ten thousand (10,000) pounds or more, as defined in the California Vehicle Code, on private or public property within a residential zoning district; unless, specifically in the performance of duties related to the picking up or delivering of merchandise, goods, wares; or, providing service to such building or structure for which an actual and bona fide repair, alteration, remodel or construction has been allowed by a building permit, as defined in Section 35703 CVC.

D. It is unlawful to park, keep, store, or leave standing (i.e., park), any passenger vehicle or vehicles as described in Chapter 10.08, on private or public property within the City as described in Chapter 10.32. Parking of vehicles, and in the manner described in Chapter 10.32, shall occur on pre-engineered load-bearing surfaces.

Parking on unimproved or non-paved lots is prohibited. This last provision shall not be applicable at Rural Residential (RR) and Estate Residential (ER-1) ~~and (ER-2)~~-zoned parcels.

E. It is unlawful to park, keep, store or leave standing on any public or private property within residentially zoned districts, any vehicle which contains any hazardous material as defined in Section 353 of the California Vehicle Code. Vehicles which emit noxious, objectionable odors, or are left in a condition which harbors vermin, or provides for the conditions for pestilence to occur shall also be prohibited in residential districts. Vehicles used to transport animals shall comply with Subsection A of this Chapter.

F. It is unlawful to park or leave standing any vehicle on a residential lot, or on any portion of the front yard setback such that the vehicle(s) obstructs the vision of an adjoining property occupant in obtaining access to or from a public right-of-way. Upon determination that the obstruction creates a potential safety hazard, such vehicles may be required to be relocated or removed from the neighboring site.

G. It is unlawful to park, store, or leave standing an inoperative, abandoned, wrecked, or dismantled vehicle, or any part thereof, on any portion of a front yard setback; except during the first seventy-two (72) hours during which a vehicle is mechanically disabled. Car covers shall not be an exception to an inoperative vehicle. It is unlawful to park, or store a vehicle in an elevated position, on blocks, stands, jacks or any other lifting device, in any portion of the front yard setback, or in a location visible from any public right-of-way or street, except as allowed by Section 8.20.030(P)(5)(d) of this Code.”

## **SECTION 5. EFFECTIVE DATE**

This ordinance shall take effect thirty (30) days after its adoption.

## **SECTION 6. SEVERABILITY.**

If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this ordinance are declared to be severable.

## **SECTION 7. NOTICE OF ADOPTION.**

This Ordinance shall become effective on the thirty-first (31st) day after its passage and adoption, and within fifteen (15) days after its final passage and the City Clerk shall cause it to be posted and published in a newspaper of general circulation, printed, published and circulated in the City in the manner required by law and shall cause a copy of this Ordinance and its certification, to be entered in the Book of Ordinances of the City.

## **SECTION 8. CEQA EXEMPTION.**

The “Project” has been evaluated pursuant to the California Environmental Quality Act (CEQA), and it has been determined that the amendments will have no significant adverse impacts on the environment. The proposed Development Code and Municipal Code Amendments are 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. The changes being considered in the ordinance amendments are intended to address updated code enforcement processes, processing requirements for Final Maps, updated definitions, removing minor planning processes that are no longer utilized, minor updates to parking and signage, notification updates as provided through Fire Department, as it relates to implementation at a local government level, and development code errors and inconsistencies, and streamline permit processing without undermining or minimizing CEQA review of discretionary permits. The amendments to the Municipal Code implement updates to existing timelines as it relates to administrative citations, refuse removal, enforcement mechanisms, and updates for driveway surface parking standards. Therefore, the Ordinance Amendments are exempt under Section 15061(b)(3).

**SECTION 9. CEQA FILING.**

The City Council hereby directs staff to prepare, execute, and file with the Riverside County Clerk and the State of California Office of Planning and Research. A notice of exemption within five (5) working days of the adoption of this Ordinance.

ADOPTED by the City Council, signed by the Mayor, and attested by the City Clerk this \_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Lori Stone, Mayor

ATTEST:

\_\_\_\_\_  
Cristal McDonald, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Tiffany J. Israel, City Attorney

I, Cristal McDonald, City Clerk of the City of Murrieta, California, hereby certify under penalty of perjury that the foregoing Ordinance was duly and regularly introduced at a meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024 and that thereafter the said ordinance was duly and regularly adopted at a regular meeting of the City Council on the \_\_\_\_ day of \_\_\_\_\_, 2024, by the following vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Murrieta, California, this \_\_\_\_ day of \_\_\_\_\_, 2024.