



Public Hearing Item 5

Electric Vehicle and Housing Element Implementation Ordinance (MCA-2023-00001)

Development Services Department

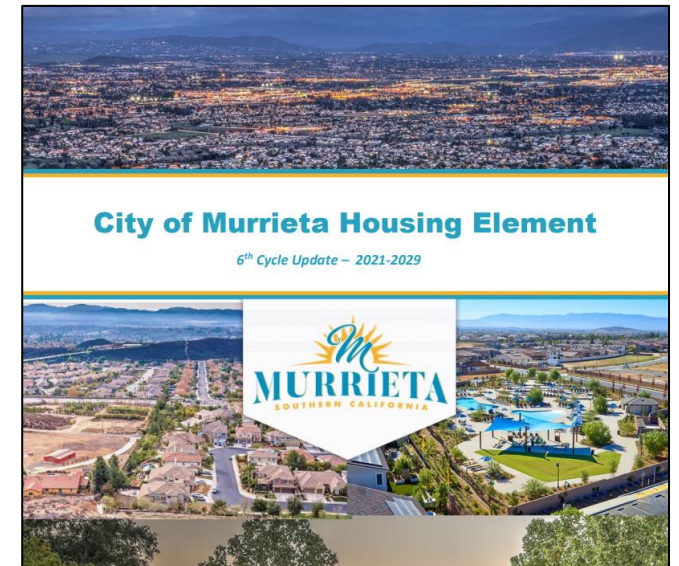
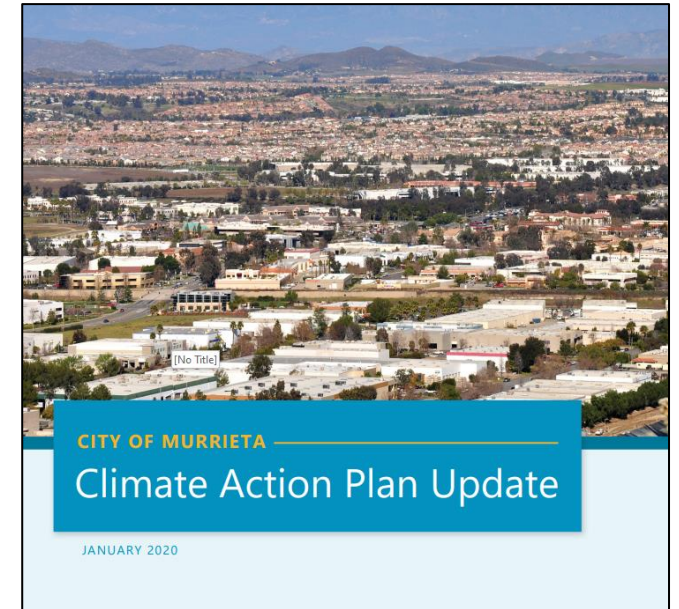
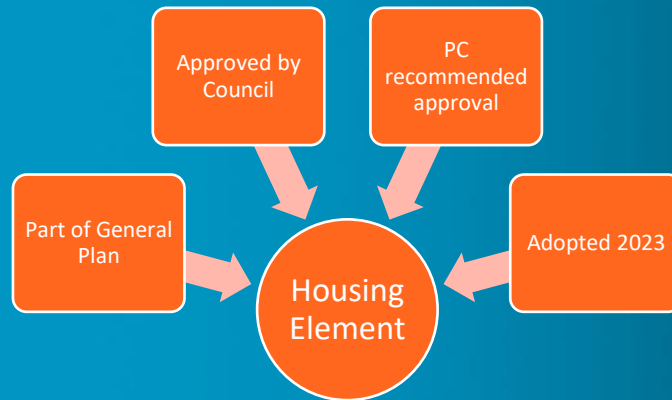
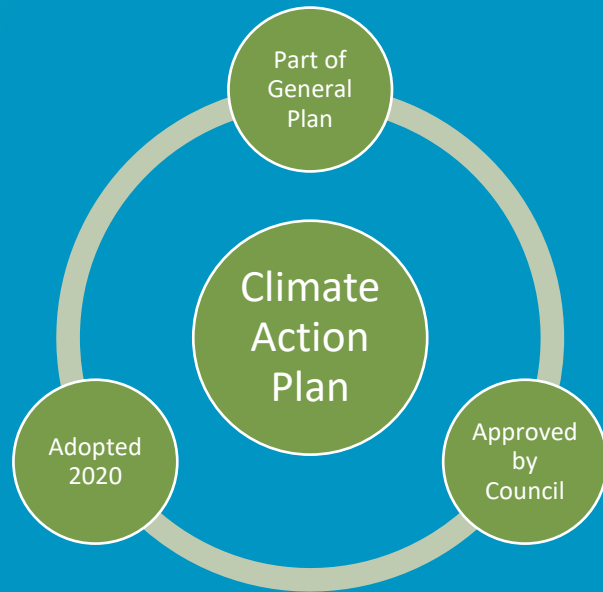
Carl Stiehl, City Planner and Taylor Graybehl, Associate Planner

October 17, 2023

Background

Climate Action Plan (CAP)

6th Cycle Housing Element





EV Parking Requirements

CAP Implementation Measures

CAP Measure	Description	GHG Reduction 2030 (MTCO2e)
Transportation		
T-1	Electric Vehicle Incentives and Promotion	86,188
T-2	Electric Vehicle Charging Ordinance	Combined with T-1
T-3	TOD Affordable Housing Program	5,036
T-4	Murrieta Bike Network	367
T-5	Signal Synchronization	1,213
T-6	Traffic Calming Program	890
T-7	Transportation Demand Management Program	8,954
T-8	Transit Network	10,391
T-9	GHG Reduction Program	41,357

Electric Vehicle Parking Requirements

Implements:

- Climate Action Plan Policy T-2 (Adopt an EV Ordinance)
- CA Green Building Standards Code (CALGreen)

Updates:

- Definitions
- Standards
- Requirements



Electric Vehicle Parking Requirements

Update Definitions and Standards

- **Electric Vehicle (EV)**
- **EV Capable Space**
- **EV Ready Space**
- **Level 2 EV Supply Equipment (EVSE)**
- **Signage and pavement markings**
- **Spaces shall comply with CALGreen**



Electric Vehicle Parking Requirements

Update Requirements

Adds table detailing requirement for Level 2 EVSE for:

- One- and two-family homes and multi-family with garage
- Multi-family, hotel, motel without garage
- Non-residential development





Housing Element (HE) Implementation

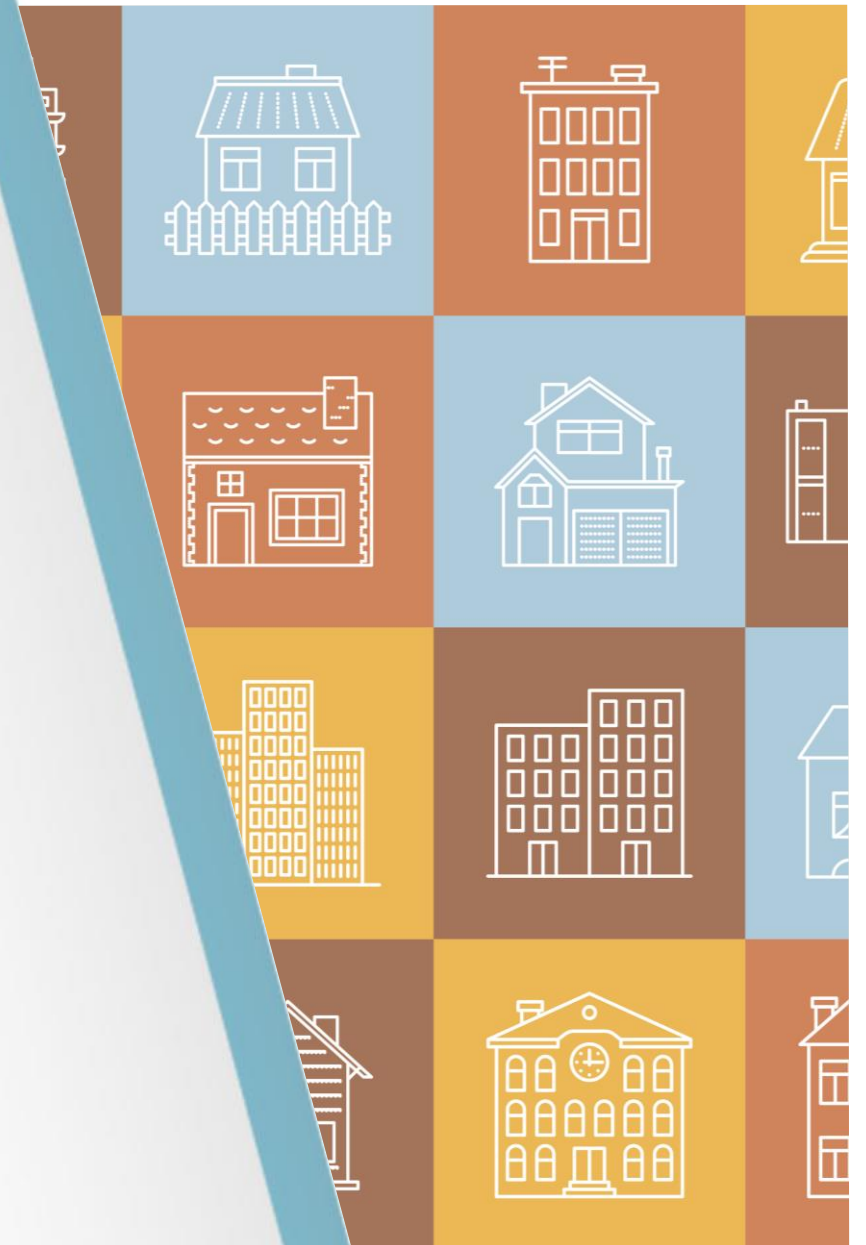
HE Implementation

Implements:

- Housing Element Policy Action 1-9
- State law consistent with HCD requirements from Housing Element Update Review

Updates:

- Minimum lot size
- Reasonable accommodation
- Manufactured homes in residential zones by right
- Parking requirements in multi-family housing
- Conditional use permit findings
- Emergency shelter parking



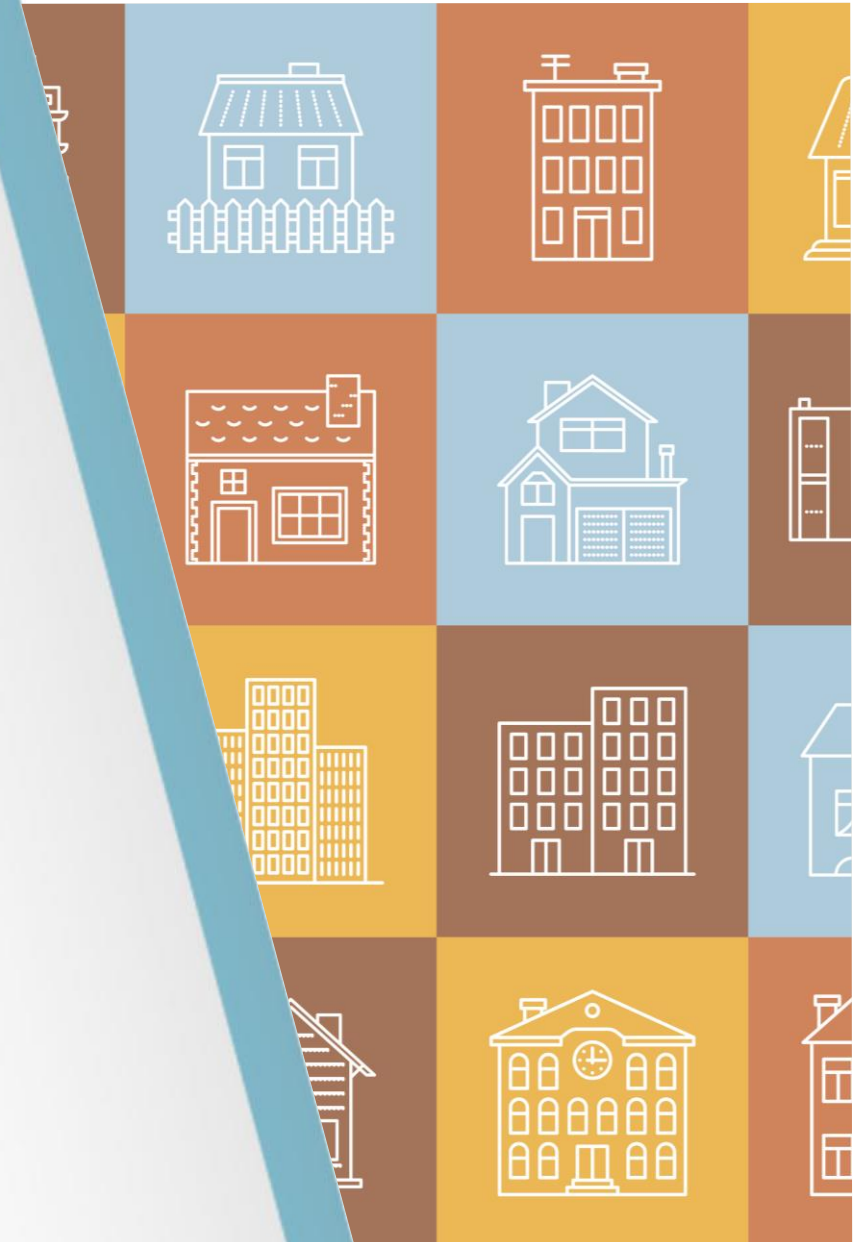
HE Implementation

Minimum Lot Size

- Reduces minimum lot size from 5 acre minimum to 1 acre in Multi-Family zones

Reasonable Accommodation

- Removes subjective language from Section 16.73 Reasonable Accommodation



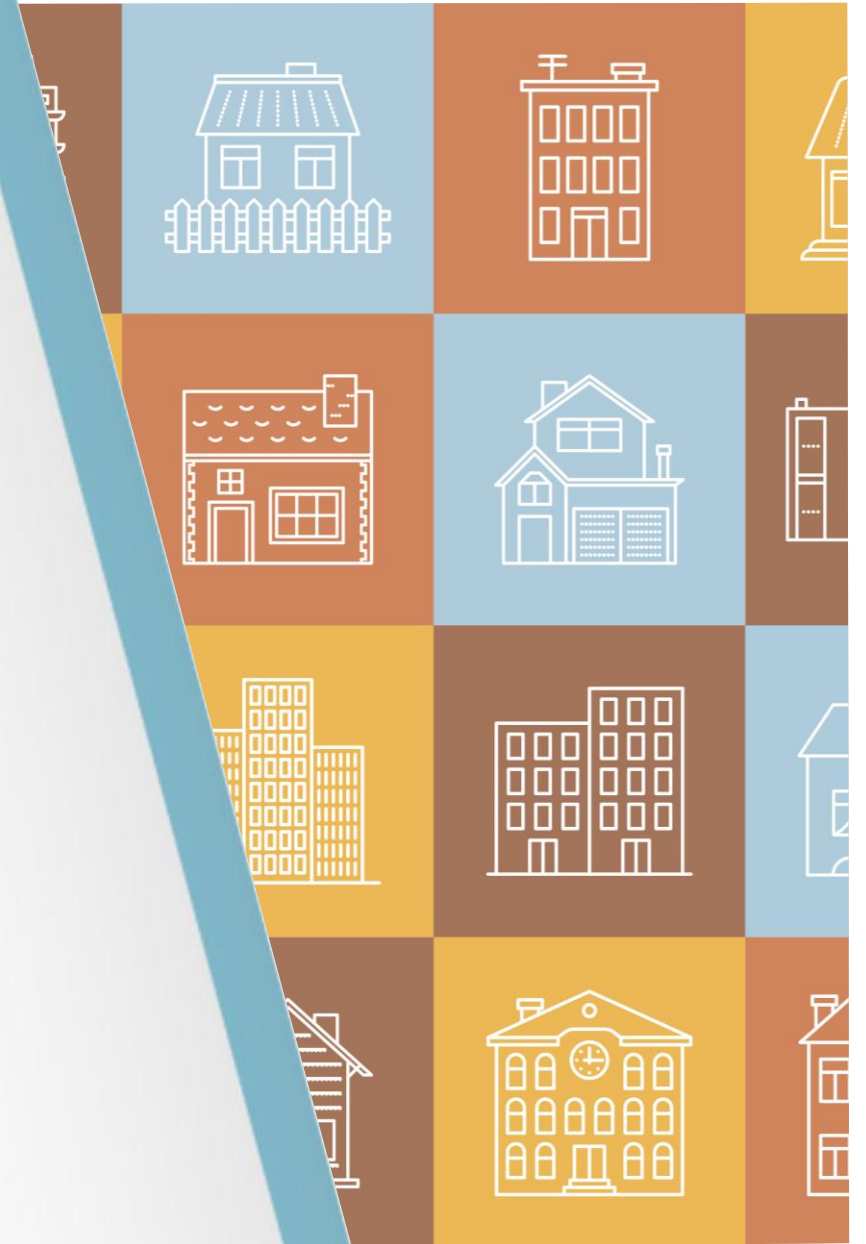
HE Implementation

Manufactured Homes in Residential Zones by right

- Updates use type for Manufactured Home
- Allows Manufactured Home in residential zones

Parking Requirements in Multi-Family Housing

- Removes the enclosed parking requirement for Multi-family and other attached dwellings



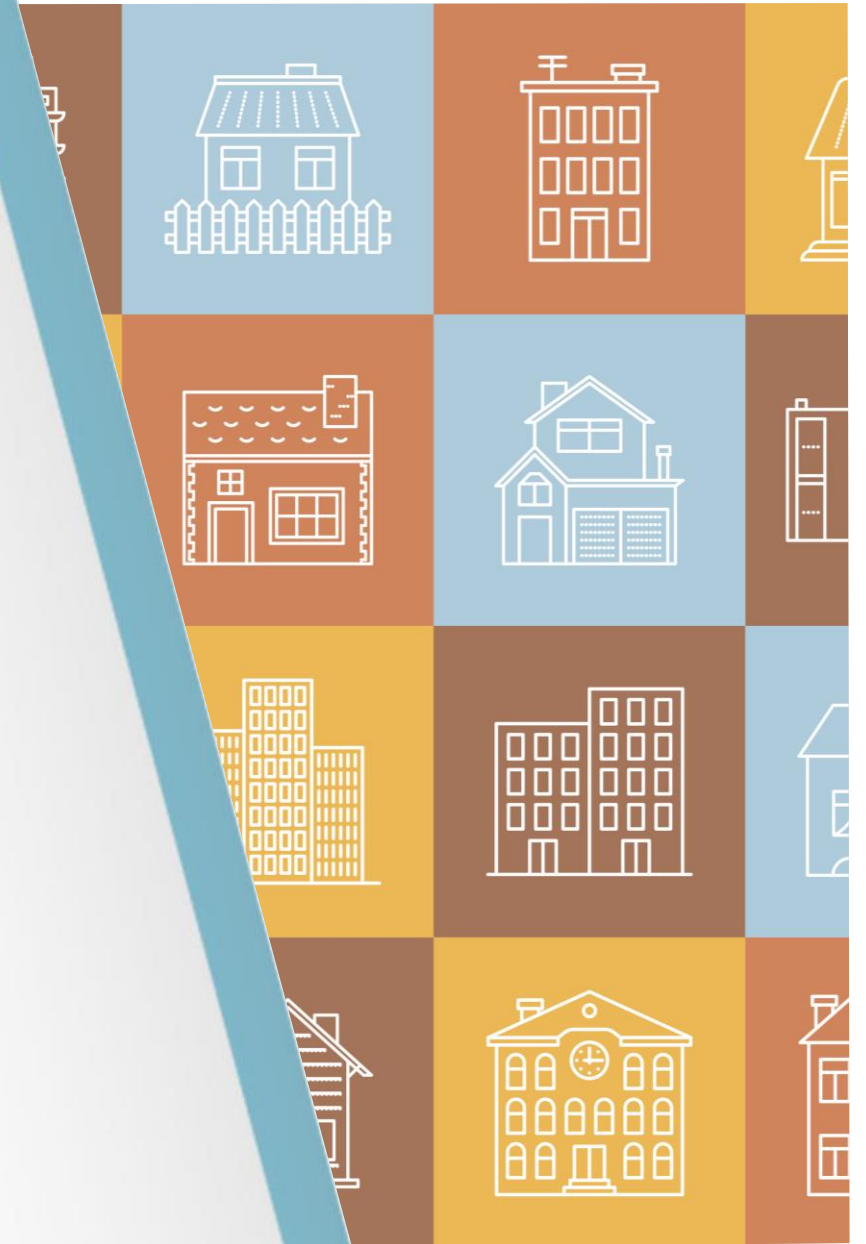
HE Implementation

Conditional Use Permit Findings

- Removes subjective language from CUP findings related to residential development while maintaining existing CUP findings for non-residential development

Emergency Shelter Parking

- Modifies Emergency Shelter Parking requirements to not require more parking than other residential or commercial uses within the same zone





Recommendation

Recommendation:

Consider and approve the Notice of Exemption for Projects Consistent with a Community Plan or Zoning pursuant to the Guidelines for Implementation of the California Environmental Quality Act Section 15183 of Title 14, Division 6, Chapter 3 of the California Code of Regulations, and Public Resources Code Section 21083.3);

Approve the first reading to introduce Ordinance No. 598-23, entitled: An Ordinance of the City Council of the City of Murrieta, California, Amending Title 16 of the Murrieta Municipal Code to Revise the City's Development Code (MCA-2023-00001), to adopt Electric Vehicle Charging and Housing Implementation standards related to Sections 16.08.010, 16.08.020, 16.34.040, 16.44.115, 16.44.200, 16.52.040, and 16.73.050; and

Direct staff to record and file a Notice of Exemption from CEQA





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Carl Stiehl, City Planner and Taylor Graybehl, Associate Planner

October 17, 2023



Additional Slides

Electric Vehicle Parking Requirements

Update Definitions

SECTION 2. Section 16.44.115 of Title 16 of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.44.115 Electric Vehicle Parking Requirements.

A. Definitions.

- ~~1. *Electric Vehicle Supply Equipment.* Refer to Vehicle Code Section 22511.2.~~
- ~~2. *Electric Vehicle Charging Space.* Refer to Vehicle Code Section 22511.2.~~
- 1. EV: An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles and the like, primarily powered by an electric motor that draws from a rechargeable storage battery, fuel cell, photovoltaic array or other source of electric current.
- 2. EV Capable Space: A vehicle space with electrical panel space and load capacity to support a branch circuit and necessary raceways, both underground and/or surface mounted, to support EV charging.
- 3. EV Ready Space: A vehicle space which is provided with a branch circuit; any necessary raceways, both underground and/or surface mounted; to accommodate EV charging, terminating in a receptacle or a charger.
- 4. Level 2 EV Supply Equipment (EVSE): The 208/240 Volt 40-ampere branch circuit, and the electric vehicle charging connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises and the electric vehicle.



Electric Vehicle Parking Requirements

Update Standards

B. Standards.

1. A parking space served by EVSE ~~or a parking space designated as a future electric vehicle charging space~~ shall count as at least one standard automobile parking space for the purpose of complying with any applicable minimum parking space requirements as established by the City.

2. An accessible parking space with an access aisle served by EVSE ~~or an accessible parking space with an aisle designated as a future electric vehicle charging space~~ shall count as at least two standard automobile parking spaces for the purpose of complying with any applicable minimum parking space requirements as established by the City. (Ord. 566 § 15, 2020)

3. EV Ready and EVSE spaces must be identified by signage or pavement markings that comply with Caltrans requirements.

4. The number of EV Capable spaces and EV Ready spaces will comply with California Green Building Standards Code.



Electric Vehicle Parking Requirements

Update Requirements

TABLE 16.44.115-1
ELECTRIC VEHICLE PARKING REQUIREMENTS AT A LOCATION

<u>Occupancy Type</u>	<u>EVSE Parking Requirement (round up to nearest parking space)</u>
<u>One- and Two-Family Homes, Multi-Family Dwellings with Private Garages</u>	<u>Installation of one Level 2 or greater EVSE per enclosed garage</u>
<u>Multi -Family Dwellings without Private Garages, Hotels and Motels</u>	<u>Install Level 2 EVSE for 6% of total parking spaces required</u>
<u>Non-Residential Development</u>	<u>Install Level 2 EVSE for 4% of total parking spaces less than 200 parking spaces.</u> <u>Install Level 2 EVSE for 5% of total parking spaces for 200 or greater parking spaces."</u>



Proposal v. Green Building Standards

Green Building
Code Standards

Proposed
Ordinance

Hotel & Motel:
+1% Level 2 EVSE

Multi-Family:
+1% Level 2 EVSE

Garage: 1 Level 1
EVSE

Garage: +1 Level
2 EVSE



Proposal v. Green Building Standards

# of Parking Space	Green Building	Proposed	Extra Required
50	3	3	0
100	5	6	1
200	10	12	2
400	20	24	4

\$ < 1,000 per charger



Building Type	Before 2023	After 2023	Proposed Changes
One- and Two-Family Dwellings	EV Ready: Yes	EV Ready: Yes	(No Change)
Multi-family dwellings, without Private Garage (under 20 units)	EV capable: 10% Level 2 EVSE: 0%	EV Capable: 10% EV Ready: 25% Level 2 EVSE: 0%	6% Level 2 EVSE (+6 % Level 2 EVSE)
Multi-family dwellings, without Private Garage (20 units or more)	EV Capable: 0% to 10% Level 2 EVSE: 0%	EV Capable: 10% EV Ready: 25% Level 2 EVSE: 5%	6% Level 2 EVSE (+1 % Level 2 EVSE)
Hotels and Motels	EV Capable: 0% to 10% Level 2 EVSE: 0%	EV Capable: 10% EV Ready: 25% Level 2 EVSE: 5%	6% Level 2 EVSE (+1 % Level 2 EVSE)
One- and Two-Family homes and Multi-Family Dwellings <u>with Private Garages</u>	EV Capable: Yes Level 2 EVSE: 0%	EV Capable: Yes Level 2 EVSE: 0%	One (1) Level 2 EVSE per garage (+1 Level 2 EVSE)
Non-Residential Development	200 spaces or less: • EV Capable: ~5% • Level 2 EVSE: 0% 201 or more spaces: • EV Capable: 6% • Level 2 EVSE: 0%	200 spaces or less: • EV Capable: ~19% average • Level 2 EVSE: 4% average 201 or more spaces: • EV Capable: 20% • Level 2 EVSE: 5%	(No Change)

Implementation Ordinance

Updates to Housing related to Policy Action 1-9:

Update	Related Policy(s)
Multi-Family Minimum lot size	Policy 3.1 and Policy 3.2
Reasonable accommodation updates	Policy 1.4 and Policy 3.2
Manufactured homes in all residential zones	Policy 1.1 and Policy 1.4
Garage requirement in multi-family housing	Policy 1.1, Policy 3.1 and Policy 3.2
Conditional use permit findings for residential uses	Policy 3.2
Emergency shelter parking standard	Policy 3.2

HE Implementation

Policy Action 1-9: Amend the City's Zoning for Compliance with State Law and to Reduce Governmental Constraints on the Development of Housing

The City of Murrieta will review and make appropriate amendments to the Development Code for the following:

- Update the development to allow for Manufactured and Mobile homes as a by-right use in all residential zones.
- Update the review and amend the development code as appropriate to address the minimum lot size required for Multi-family residential developments, specifically, the minimum lot provisions in Multi-Family zones, such as MF-1, MF-2, and MF-3.
- Review and revise Title 16.73.050 "Findings and Decision" to revise the following findings for reasonable accommodations to remove subjective language and mitigate the constraint of development for accessible housing:
- Specifically, the City will review and revise Finding 5, which states "The requested reasonable accommodation would not adversely impact surrounding properties or uses" to specify objective requirements related to building and safety standards.
- Amend Title 16.31.040 "Number of Parking Spaces Required" to remove the requirement for one (1) space for each unit in a fully enclosed garage for multifamily housing projects.
- Amend Title 16.52.040 "Findings and Decisions" to revise Finding A, "The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and complies with all applicable provisions of this development code" to remove the language which references integrity and character.
- Amend Title 16.44.200 "Emergency Residential Shelters and Transitional Housing" to provide for sufficient parking to accommodate all staff working in the emergency shelter, provided that the parking standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.



HE Implementation

Minimum Lot Size

“Update the review and amend the development code as appropriate to address the minimum lot size required for Multi-family residential developments, specifically, the minimum lot provisions in Multi-Family zones, such as MF-1, MF-2, and MF-3.”

SECTION 3. Section 16.08.020 of Title 16 of the Murrieta Municipal Code is hereby amended solely with respect to Table 16.08-4 to read as follows:

“TABLE 16.08-4 RESIDENTIAL (MULTI-FAMILY) ZONES GENERAL DEVELOPMENT STANDARDS			
Development Feature	MF-1 ⁽⁵⁾	MF-2 ⁽²⁾	MF-3
Minimum Parcel Size	1 acre 5-acres	1 acre 5-acres	1 acre 5-acres
Minimum Parcel Width	100 feet	100 feet	100 feet
Density Range	10.1 - 15 du/acre	15.1 - 18.0 du/acre	Min. 30 du/acre
Minimum Livable Area	500 sq. ft.	500 sq. ft.	500 sq. ft.
Setbacks			
Street	10 feet	10 feet	Varying 10 - 20 feet
Interior	10 feet	10 feet	Minimum 10 feet ⁽¹⁾
Maximum Parcel Coverage	35%	35%	None

HE Implementation

Reasonable Accommodation

“Review and revise Title 16.73.050 “Findings and Decision” to revise the following findings for reasonable accommodations to remove subjective language and mitigate the constraint of development for accessible housing:

Specifically, the City will review and revise Finding 5, which states “The requested reasonable accommodation would not adversely impact surrounding properties or uses” to specify objective requirements related to building and safety standards”

SECTION 3. SECTION 16.73.050 of Title 16 of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

16.73.050 Findings and Decision.

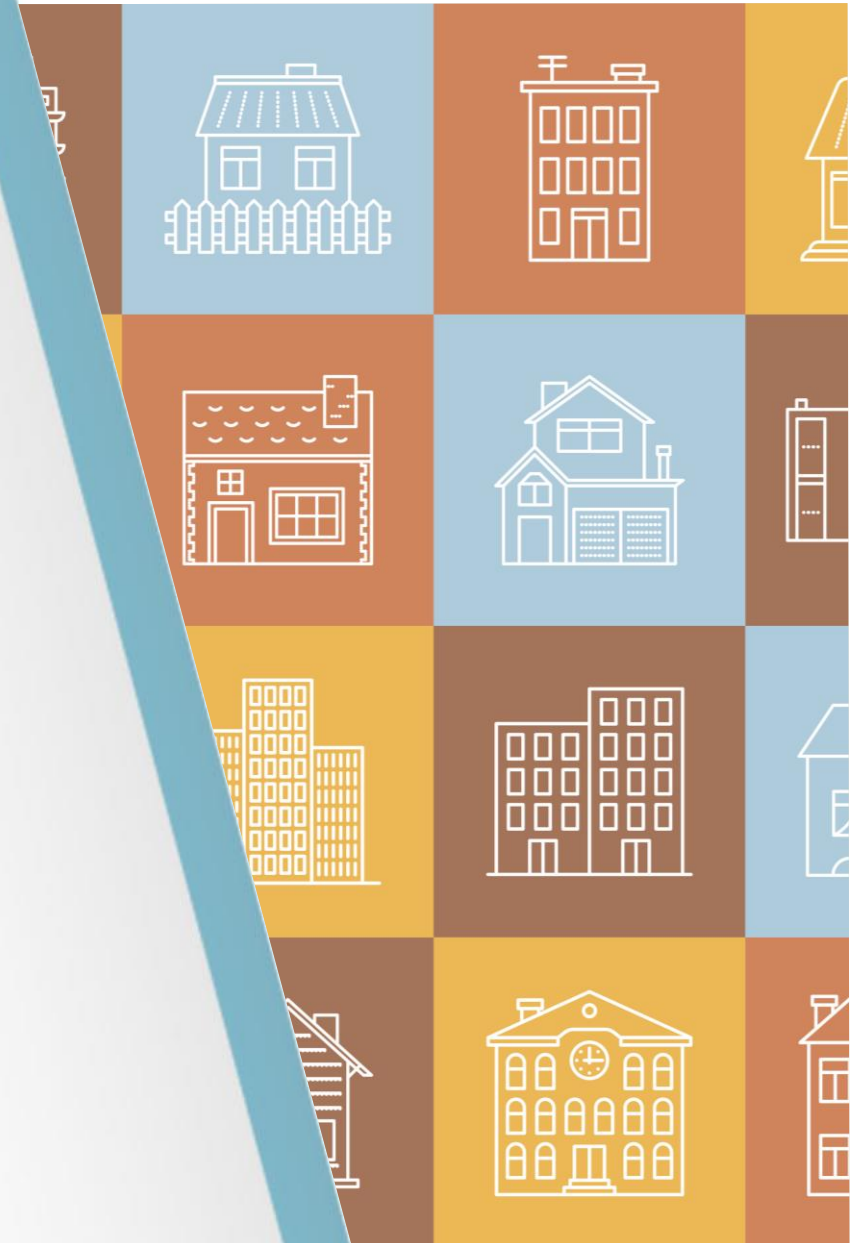
A. Any decision on an application under this chapter shall be supported by written findings addressing the criteria set forth in this subsection. An application under this chapter for a reasonable accommodation shall be granted if all of the following findings are made:

1. The housing, which is the subject of the request, will be used by an individual disabled as defined under the Acts.
2. The requested reasonable accommodation is necessary to make specific housing available to an individual with a disability under the Acts.
3. The requested reasonable accommodation would not impose an undue financial or administrative burden on the city.
4. The requested reasonable accommodation would not require a fundamental alteration in the nature of a city program or law, including, but not limited to, land use and zoning.

~~5. The requested reasonable accommodation would not adversely impact surrounding properties or uses.~~

[No Title]

5. There are no reasonable alternatives that would provide an equivalent level of benefit without requiring a modification or exception to the city's applicable rules, standards and practices.



HE Implementation

Manufactured Homes in Residential Zones by right

“Update the development to allow for Manufactured and Mobile homes as a by-right use in all residential zones.”

SECTION 4. Section 16.08.010 of Title of the Murrieta Municipal Code is hereby amended solely with respect to Table 16.08-1 and Table 16.08-2 to read as follows:

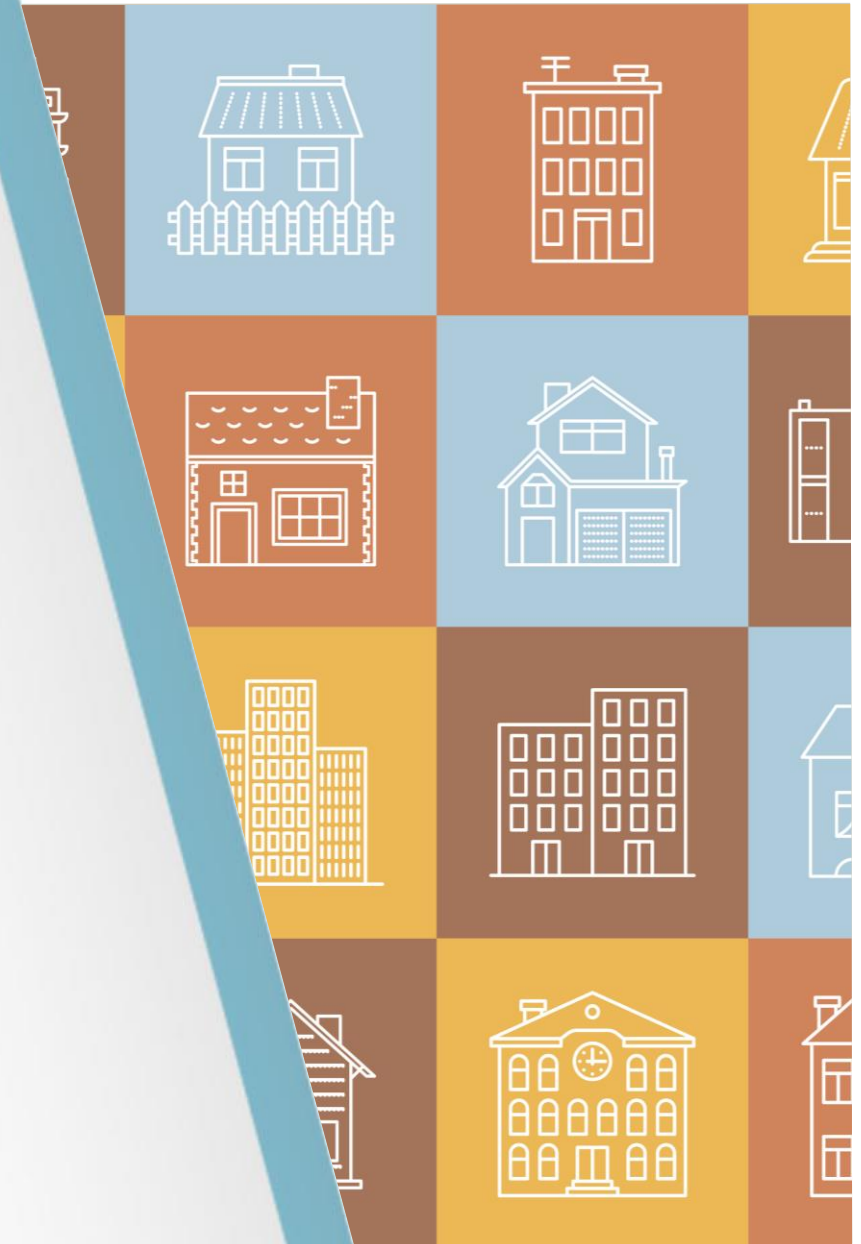
"TABLE 16.08-1 USE TABLE FOR RESIDENTIAL (SINGLE-FAMILY) ZONING DISTRICTS Permit Requirement by District							
Symbol	Applicable Process						See Chapter
P	Permitted Land Use - Compliance with development standards and zoning clearance required						16.74
C	Conditional Use - Conditional use permit required						16.52
"Blank"	Land use not permitted						
Land Use ⁽¹⁾ ⁽²⁾	RR	ER-1	ER-2	ER-3	SF-1	SF-2	See Standards in Section
Manufactured Housing-Home (including mobile homes) ⁽⁶⁾	P	P	P	P	P	P	16.44.050"

HE Implementation

Manufactured Homes in Residential Zones by right

“Update the development to allow for Manufactured and Mobile homes as a by-right use in all residential zones.”

“TABLE 16.08-2 USE TABLE FOR RESIDENTIAL (MULTI-FAMILY) ZONING DISTRICTS Permit Requirement by District				
Symbol	Applicable Process			See Chapter
P	Permitted Land Use - Compliance with development standards and zoning compliance required			<u>16.74</u>
C	Conditional Use - Conditional use permit required			<u>16.52</u>
"Blank"	Land use not allowed			
Land Use ^{(1) (2)}	MF-1	MF-2	MF-3	See Standards in Section
Manufactured Home	<u>P</u>	<u>P</u>	<u>P</u>	
Mobile Home Parks	C	C	C"	



HE Implementation

Parking Requirements in Multi-Family Housing

“Amend Title 16.31.040 “Number of Parking Spaces Required” to remove the requirement for one (1) space for each unit in a fully enclosed garage for multifamily housing projects.”

SECTION 5. Section 16.34.040 of Title 16 of the Murrieta Municipal Code is hereby amended solely with respect to Table 3-7 to read as follows:

“16.34.040 Number of Parking Spaces Required.

TABLE 3-7 PARKING
REQUIREMENTS BY LAND USE

Residential Uses	Vehicle Spaces Required
Single family housing	Two spaces in a fully enclosed garage.
Duplex housing units	Two spaces for each unit, with at least one space in a fully enclosed garage.
Multi-family dwellings and other attached dwellings	Studio and <u>one bedroom</u> units: 1.5 spaces for each unit, with one space for each unit in a fully enclosed garage, plus guest parking. Two bedrooms or more: 2 spaces for each unit, plus 0.5 additional spaces for each bedroom over 2, with one space for each unit in a fully enclosed garage, plus guest parking equal to 25% of the total number of units.
Mobile homes (in mobile home parks)	Two spaces for each mobile home (tandem parking allowed in an attached carport), plus one guest parking space for each four units.
Condominiums	Studio, one bedroom and <u>two bedroom</u> units: Two covered spaces for each unit, with one space for each unit in a fully enclosed garage, plus guest parking. Three bedrooms or more: Two spaces for each unit with one space for each unit in a fully enclosed garage; plus 0.5 additional spaces for each bedroom over two; <u>plus</u> guest parking equal to 33% of the total number of units evenly spread throughout the entire project.

Proposed Amendment

Conditional Use Permit Findings

Staff had concern that the previously proposed Conditional Use Permit Findings may impact our ability to regulate non-residential uses.

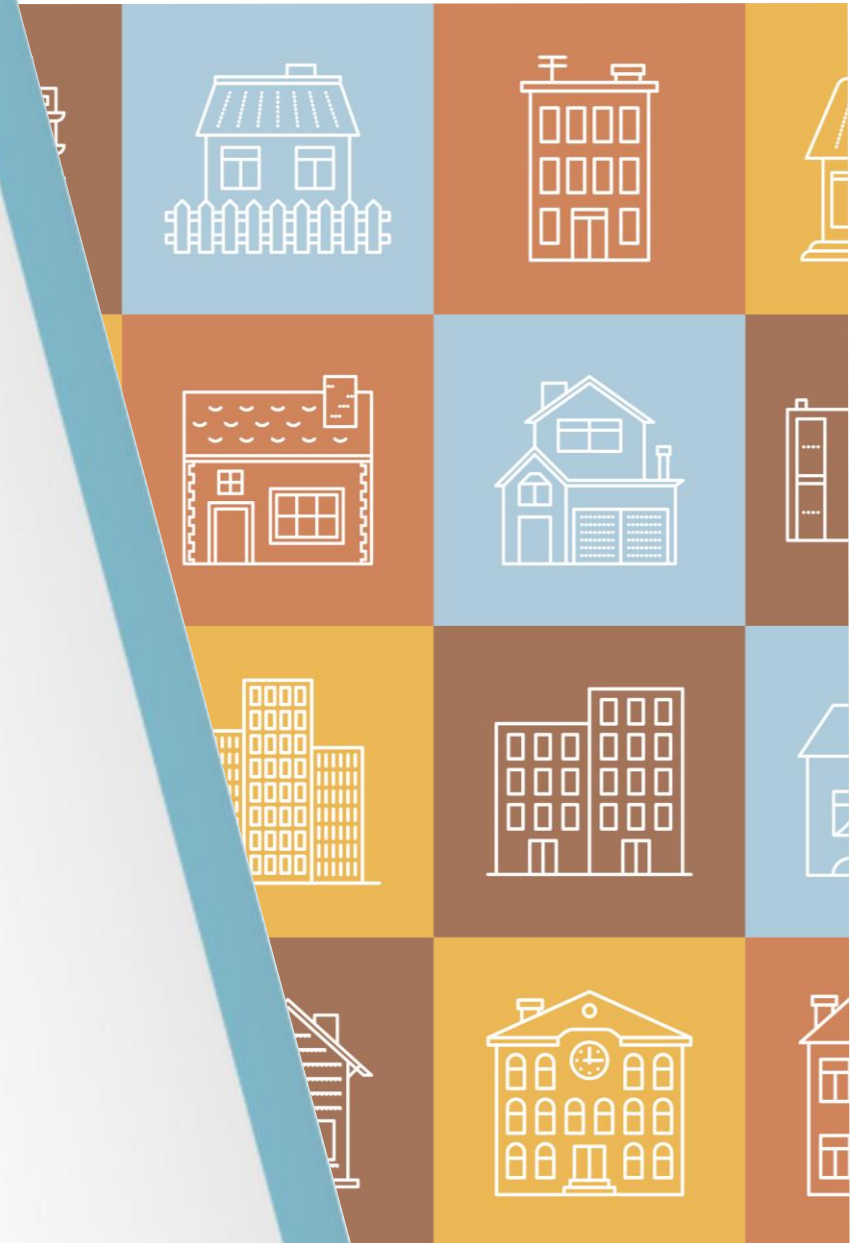
Staff proposes the revised language:

“16.52.040 Findings and Decision.

Following a review of the application and public hearing in compliance with [Chapter 16.76](#), the applicable re-view authority shall act to approve, approve with conditions, or disapprove the conditional use permit. The re-view authority may approve a conditional use permit only if all of the following findings of fact can be made in a positive manner per use type as described below:

A. The proposed [residential](#) use is conditionally allowed within, ~~and would not impair the integrity and character of~~, the subject zoning district and complies with all applicable provisions of this development code; or

B. The proposed non-residential use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and complies with all applicable provisions of this development code;



HE Implementation

Emergency Shelter Parking

“Amend Title 16.44.200 “Emergency Residential Shelters and Transitional Housing” to provide for sufficient parking to accommodate all staff working in the emergency shelter, provided that the parking standards do not require more parking for emergency shelters than other residential or commercial uses within the same zone.”

SECTION 7. Section 16.44.200 of Title 16 of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.44.200 Emergency Residential Shelters and Transitional Housing.

~~9.—An emergency shelter facility shall provide off-street parking at the ratio of one (1) space per four (4) beds, and/or 0.5 per bedroom designated as a family unit with children, plus one (1) space per staff member. Service providers are responsible to provide and maintain adequate parking and freight loading facilities for employees, clients and other visitors who drive to the premises.~~

9. An emergency shelter facility shall provide off-street parking:

a. The minimum parking requirement shall be whichever is less, the ratio of one (1) space per four (4) beds, and/or 0.5 per bedroom designated as a family unit with children, plus one (1) space per staff member, or the minimum parking requirement for other residential or commercial uses within the same zone whichever results in less parking being required.

b. Service providers are responsible to provide and maintain adequate parking and freight loading facilities for employees, clients and other visitors who drive to the premises.

