

RESOLUTION NO. 26-_____**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2396 RELATED TO CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28.**

WHEREAS, the City of Murrieta (“City”) proposes an amendment to the City's Development Code for the purpose of revising and updating Chapters 16.08, 16.14, 16.18, 16.22, 16.24, and 16.28 (“Development Code Amendment”); and

WHEREAS, with an effective date of December 18th, 1997, the City Council, after extensive public input, adopted Ordinance No. 182-97, which is generally known as the City of Murrieta Development Code, which contained provisions for hillside development regulations; and

WHEREAS, the purpose of this Ordinance is to promote and encourage the orderly development of hillside areas of the City by the application of regulations and requirements established to meet the particular problems associated with the development of hillside areas, including, but not limited to clarification of where hillside areas apply and related review processes, slope grading techniques, placement and height of structures, retaining walls, access, and aesthetic treatments; and

WHEREAS, it was discovered by public input and verified by staff that these provisions are being applied Citywide, whereas the original intention was for these provisions to be applied to properties within the designated Hillside Overlay; and

WHEREAS, DCA-2021-2396 includes updates in order to provide consistency and eliminate errors within the sections of the City's Development Code as identified for hillside areas and related development criteria; and

WHEREAS, on March 29, 2022, the City Council directed staff to review the hillside development standards and explained to staff that they were never meant to apply on a citywide basis; and

WHEREAS, on December 14th, 2022, the City held a first public workshop. This item was continued from that meeting and re-noticed for the January 25, 2023, meeting. No report or presentation was provided; and

WHEREAS, on January 25th, 2023, the City held a second public workshop at its Planning Commission meeting to provide and receive input from local residents and the Commission concerning hillside development standards in the City. Areas that were covered were inclusive of existing and proposed Hillside Overlay applicability, height allowances for

structures, height measurement criteria, hillside slope applicability, average slope calculation, Prominent Ridgeline Overlay, and retaining wall criteria. The other items presented by staff were potential techniques to improve the readability of the existing Murrieta Municipal Code (MMC), examples of graphic exhibits that could be incorporated, highlights of areas to resolve code inconsistencies, ways to incorporate best practices, and suggestions from staff on how to simplify the standards to make them more user-friendly to both staff and applicants; and

WHEREAS, on April 11th, 2023, staff hosted a presentation on the existing and proposed hillside standards. Staff held the workshop to obtain additional feedback from the community on the proposed hillside development standards. This additional outreach was conducted per direction from the prior Planning Commission for further community input and to provide transparency. Areas that were covered were inclusive of existing and proposed Hillside Overlay applicability, height allowances for structures, height measurement criteria, hillside slope applicability, average slope calculation, Prominent Ridgeline Overlay, and retaining wall criteria. There was time provided for questions/answers at the end of the presentation for feedback on the proposed updates from the public; and

WHEREAS, on June 28th, 2023, the City of Murrieta Planning Commission held a duly noticed public hearing on the proposed Development Code Amendment, at which the staff report was presented as well as written comments from the public regarding the need for the proposed code amendment and providing evidence in the record to support the findings required by the Murrieta Development Code Section 16.58.080; and

WHEREAS, on August 15, 2023, the City Council hosted its first workshop on this item. The City Council requested additional information. Council members and staff discussed key standards for retaining wall heights, specifically discussing a 6-foot baseline and the balance between aesthetic landscaping and mandatory fire safety fuel modification zones. The session aimed to replace subjective guidelines with objective criteria for building on slopes, ensuring that new developments preserve the city's visual ridgelines while providing a clearer, more predictable path for project approvals. The workshop was continued to a future meeting date; and

WHEREAS, on March 5, 2024, the City Council hosted a second workshop on this item. The discussion centered on a potential review process for retaining walls, clarifying building height measurements on sloped terrain, and ensuring the "Hillside Overlay" maps accurately reflect local topography to avoid unnecessary burdens on flat-land homeowners. Crucially, the Council worked to harmonize aesthetic screening requirements with mandatory state fire safety and fuel modification mandates, prioritizing the protection of prominent ridgelines while ensuring the code aligns with current California law. Due to additional time needed for the discussion and feedback, the workshop was continued for a second time; and

WHEREAS, on June 17, 2025, the City Council hosted a third workshop on this item. The direction/feedback from the Council was that detailed examples of standards from other localities and more of them were needed in order to assist the Council with moving forward; and

WHEREAS, on October 21, 2025, the City Council held its fourth workshop on this item. The discussion centered on the following areas, where the Council reached consensus on

key Focus Topics with the Applicability of Standards; Identifying The City's Hillside Areas: 20 Percent Slope Versus 25 Percent; 25 Percent Slope Criteria; Specific Plans; and the use of Geographic Info. Systems (GIS) And Average Slope Formula; and

WHEREAS, on November 18, 2025, the City Council conducted its fifth workshop on this item, during which several key policy directions and considerations were identified, including, but not limited to, the following: that updates to retaining wall regulations should be addressed on a citywide basis rather than limited to Hillside Areas; that standards should provide both flexibility through defined options and sufficient specificity, particularly with respect to retaining wall design; that retaining wall design standards should be implemented citywide; that color palettes for retaining walls should generally consist of muted tones, with specific shades or blends established in advance to ensure a consistent and desirable aesthetic; that earthtone colors may be appropriate for hillside structures; that retaining walls exceeding six feet in height may, in certain circumstances, be excessive on a citywide basis; that tiered retaining walls incorporating landscaping are a preferred design feature; that Keystone-style walls with integrated landscaping are also desirable; that landscaping is a priority consideration for the Council, including the establishment of larger plant sizes earlier in the development process; that additional clarification from the Fire Department is necessary regarding planting requirements within Fuel Modification Plans; and that distinctions between rural residential and tract home front-yard setbacks should be more clearly defined; and,

WHEREAS, on February 3, 2026, the City Council held its sixth and final workshop on the topic. The Murrieta City Council discussed key topics, including retaining walls, landscaping standards, fire severity zones, distinctions between developed and undeveloped properties, and the relationship between hillside and citywide standards. Public input raised concerns about the visual and regulatory impacts of retaining walls, tree removal credits, definitions of undisturbed land, conditions of approval, and broader issues such as Senate Bill 9 and insurance implications. Following that discussion, the Council reached consensus to provide direction on specific retaining wall types (including geogrid, CMU, and keystone walls) for hillside areas, suggested requiring earlier installation of larger landscaping, and that a separate ordinance was needed on a city-wide basis as it relates to retaining walls, along with direction to staff that the definitions of developed and undeveloped land for hillside areas need to be clearly defined.

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

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA DOES HEREBY RESOLVE AS FOLLOWS

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

FACTS: The Development Code is the primary tool for implementing the General Plan, providing regulating standards, identification of permitted uses, and other regulations that

support the proper implementation of the General Plan Conservation, Land Use and related Elements. This Development Code Amendment updates and amends Chapters 16.08, 16.14, 16.18, 16.22, 16.24, and 16.28 in order to provide accurate and consistent information throughout the City's Development Code.

The proposed amendments to the development code would be consistent with **Conservation Element - Goal CSV-5** by maintaining that “..Hills and ridges are protected for their environmental and aesthetic values. To substantiate this determination, this ordinance update will remain consistent with **Policy CSV-5.1** in that it will “..Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas. Compliance with this goal and policy will be achieved in that future projects at hillside locations will be required to utilize landform, contour, and similar grading techniques, which will be designed to blend with the natural existing site contours. This will be required to be demonstrated on future grading plans. Furthermore, proposed building pads and buildings with stem wall configurations will be placed in a manner to necessitate only minimal grading and to preserve open areas of a hillside area as much as possible. Finally, naturally occurring vegetation (trees/shrubs) will be utilized at these locations, and confirmation will be verified on landscaping plans. This will help reinforce the natural aesthetic values of a given location.

The updates will be also be consistent with the following goal and policies with respect to the Los Alamos Hills community: **Land Use Goal LU-22** with “Natural and visual resources are valued resources to maintain the rural character of the Los Alamos Hills” and implemented with the following policies: **LU-22.1** “Encourage the preservation of natural and visual resources within Los Alamos Hills, such as rock outcroppings and scenic views of the local hills and valleys, to the greatest degree practicable” **LU-22.2** “Encourage new construction and landscape design that utilizes grading techniques to mimic the natural terrain”; and **LU-22.3** “Encourage development that minimizes impacts to existing water courses, mature trees, and natural features as much as possible. In those cases that these areas/features are impacted, the final design should provide adequate mitigation on-site and/or in nearby areas.” Projects in Los Alamos Hills will also be required to utilize landform, contour, and similar grading techniques which will be designed and implemented in a manner to blend with the natural existing site contours which will be consistent with the description of **LU-22.2**. Lastly, projects in Los Alamos Hills will be designed in a manner that minimizes impacts on natural features as much as possible to the community, and mitigation for impacts will be assessed on a project-level basis through CEQA review, which is consistent with **LU-22.1** and **LU-22.3**.

Finally, the modifications for the utilization of naturalized landscaping for aesthetic purposes at hillside areas will be consistent with the following goal and policy: **Goal CSV-9** “A community that promotes the growth of an urban forest and water-efficient landscaping, recognizing that plants provide natural services such as habitat, stormwater management, soil retention, air filtration, and cooling, and also have aesthetic and economic value” and Policy **CSV-9.6** “Maintain a guide to preferred trees, shrubs, and ground cover plants of noninvasive species, or refer private parties to an existing guide that meets City needs to assist private landscaping efforts.” Implementation of this policy supports our fire-resistant standards for

vegetation planting, maintenance, and for public safety for hillside development proposals as reviewed by Murrieta Fire & Rescue.

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

FACTS: The proposed amendment addresses errors within the City's Development Code, in order to provide accurate and consistent information throughout the City's Development Code, which will maintain the public convenience, health and safety, and general welfare of the City. Future projects will be reviewed for consistency with Building, Engineering, and Fire Codes to ensure the public's health, safety, or general welfare.

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

FACTS: The proposed amendment addresses errors in the City's Development Code to provide accurate and consistent information throughout Chapters 16.08, 16.14, 16.18, 16.22, 16.24, and 16.28, thereby making the City's Development Code internally consistent.

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

FACTS: The proposed action was reviewed for consistency with the citywide Comprehensive Development Code in 1997. These standards were originally evaluated and implemented under the adopted Negative Declaration for implementation of the Comprehensive Development Code on October 28, 1997. These updates have been evaluated for consistency for the current "Project" proposal utilizing this Negative Declaration; the Murrieta General Plan Final FEIR in 2011, and Subsequent SEIR in 2021 (SCH No. 2010111084), by the City of Murrieta, in accordance with Public Resources Section 21166 and California Environmental Quality Act (CEQA) guidelines Section 15162, "Subsequent EIRs and Negative Declarations":

1. No substantial changes were proposed to the Project that would require major revisions of the previous ND and certification of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2. No substantial changes would occur with respect to the circumstances under which the project is undertaken, which will require major revisions to the previous ND and EIR due to the involvement of any new significant environmental effects or a substantial increase in the severity of previously identified significant effects; and,

3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the ND was adopted and certification of the EIR occurred, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous ND and EIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous ND and EIR;

(C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND and EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

BE IT FURTHER RESOLVED that based on the written information provided, the public comments received, and findings stated above, the Planning Commission recommends that the City Council adopt the environmental determination and approve the Development Code Amendment (DCA) 2021-2396 amending Chapters 16.08, 16.14, 16.18, 16.22, 16.24, and 16.28 as shown on the attached Ordinance (Exhibit “A” and “B”).

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Murrieta, California, held on this 13th day of May, 2026.

APPROVED:

Planning Commission Chairperson

ATTEST:

Carl Stiehl, City Planner

I, Carl Stiehl, City Planner, City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the 13th day of May 2026 by the following roll call vote:

MOTION MADE BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____