

Tracy, Christopher

From: Tracy, Christopher
Sent: Tuesday, August 15, 2023 4:11 PM
To: McDonald, Cristal; Ramirez, Kimberly; Garcia, Sylvia
Cc: Chantarangsu, David; Stiehl, Carl
Subject: FW: Hillside Ord - Please Distribute for Council Workshop
Attachments: Ltr to Council Hillside Grading Ord.pdf

Hi Cristal,

Please ensure that this is distributed to the Council for the workshop:

Thank you,



Chris Tracy, AICP
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From: A Long <awlong00@yahoo.com>
Date: August 15, 2023 at 8:29:00 AM PDT
To: "Warren, Cindy" <CWarren@murrietaca.gov>
Subject: Hillside Ord

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Please see my attached letter regarding the workshop on the Hillside Grading Ordinance.

Also, I appreciate staff's effort on retaining walls, but this is a good example of "throwing the baby out with the bath water." While there are examples of tall retaining walls that are an eyesore. There are more examples of tall retaining walls that work well, but you can't see. This is my point. What difference does it make if a retaining wall is 5' or 50' if you can't see it??? I can think of several commercial site that would not be able to build unless the built a very tall retaining wall that can't be seen. Also, if fire codes keep widening road standard, there may be many rural residential homeowners needing to widen their driveways with retaining if they propose to build accessory structures like a bar,

Please keep in mind, this ordinance and direction being sought is not mandated by the region, state, or federal agencies. It is one of the few items you can exercise local control over. Please consider those residents you are placing this map upon.

Respectfully,

Alan

Honorable Mayor, Mayor Pro-Tem, and Council members,

I am writing you out of grave concern, due to the damage that the proposed Hillside grading ordinance will cause my family, business, and neighbors.

The current Hillside Ordinance is to be applied citywide as written and originally adopted in 1998. Admittedly, the city has not been consistent when and where they enforce this ordinance. Development has been approved within and outside of the proposed Hillside Overlay Map (HOM), Prominent Ridgeline Map (PRM) and current unofficial map the city periodically uses to enforce the Hillside Ordinance. Also, it's worthy to mention, the city claims it was not the *intent* for the policy to be enforced citywide, yet it is written as such.

While I cannot opine on what everyone's past intent was/is, I can tell you the General Plans (GP) mentions viewshed and views from the major freeways of the "NATURAL SETTING." While I agree with staff, the GP lacks detail and is vague. However, it clearly places value on the "views from major freeways" for "people passing through the area" on major freeways. The GP also mentions "the Valley Floor" to be a protected viewshed, but that's another confusing topic. In either case, the views from the I15 & I215 freeways have changed since 1998. Frankly, you only get peekaboo view of our hills due to all the development that has occurred. The better question is to be asking is, with all the development along the I15 and I215, does this section GP and Hillside ordinance still make sense?

The vagueness and ambiguity of this topic should not be a surprise, but the recommendations being made should be. In July 2019, I had several conversations and emails with the Murrieta Planning Director regarding the wording in the Conservation section of our GP and Hillside Grading Ordinance. Specifically, I informed staff that the vagueness and wording would cause confusion for future staff and governing bodies. I suggested that, since the GP was being opened, this language be cleared up. After staff reviewed the language, I was assured that development could occur on my property and the current CUP and past Tentative Tract Map (TTM) approval set the precedence. Well, here we are fighting again.

BACKGROUND: On January 6, 2005, an application was filed by DFC Family Limited Partnership for a tentative tract map, for property located west of the intersection of Los Alamos and Mason Roads on the southernmost hill of what is known as the Hogbacks, to allow for a fifteen (lot) residential subdivision of 37.86 acres (38 acres). Several workshops and discussions were scheduled regarding the Hillside Grading Ordinance and potential development. On July 26, 2006, the Planning Commission met in a study session workshop to consider the DFC Family Limited Partnership for a tentative tract map and one other property owner proposing to develop on the Hogbacks in the Los Alamos District. Neighboring residents near the project overwhelmingly spoke in favor of the project. Feedback was requested from the Commissioners at the workshop on "the feasibility" of the project. It was the Commission's consensus that "a subdivision on the

Hogbacks in the Los Alamos District will be possible. The project and CEQA documents were later approved.

Since this time, I purchased the above-mentioned property and applied for a CUP. Again, the CEQA documents and CUP were approved. We have made significant investment in time and funding to get through the CUP process on properties that have been significantly developed and are NOT in their natural setting. This can be said about my adjacent neighbors at the bottom of slope (42 Lots).

In fact, the property I own had a slope analysis done for the approved TTM. Most of my property is less than 25%, yet is identified in both the HOM and PRM. The areas that are greater than 25% has been placed into conservation through the CUP process.

Also, I do not support using the "Technology" available to the city to determine whether a parcel should be in a definitive map. This "Technology" has already proven not to be reliable as there are several lots identified on the HOM that are completely flat.

As you know, the same areas identified in the HOM and PRM are within the Multi Species Habitat Conservation Plan, another layer of conservation requirements. The MSHCP has been the primary vehicle used to gain most conservation land in Murrieta. Most of the land identified in the PRM has already been placed into conservation and the remaining land already developed. In essence, the MSHCP accomplished more than what was identified in the conservation section of the GP. The developed parcels identified on the newly proposed HOM and PRM should not be singled, preventing them the use their property like the rest of the city.

To summarize, most of my property is not more than 25% slope, the areas that are greater than 25% has already been conserved, the previous staff and governing body aproned TTM, there is a current CUP for commercial business, and land has been every portion of land that remains has been disturbed by way of grading, imported dirt and/or structures and is NOT in its "natural setting." For these reasons, and many others, I am asking to be removed from the Hillside Overlay map and Prominent Ridgeline Map.

The following picture is my property. We have 9 lots, an underlying tract map of 15 lots, 6 SFD units, multiple accessory structures, water tanks, and an active commercial business. Every square foot of the parcels on top of this hill has been developed by grading, trenching, importing fill dirt, and/or built upon. Additionally, many of the adjacent parcels (42 lots) can say the same, some having little to no slope. See picture below with yellow stars indicating homes mid-slope.



Also, the growth around the city has blocked the viewshed of these areas and now only offers a “peekaboo” view from few areas. Many of these areas have approved development projects that will continue to block the view. See following pictures:



View from Hancock



View from Hancock

Murrieta Hot Springs / I215



Winchester Rd (Hwy 79)



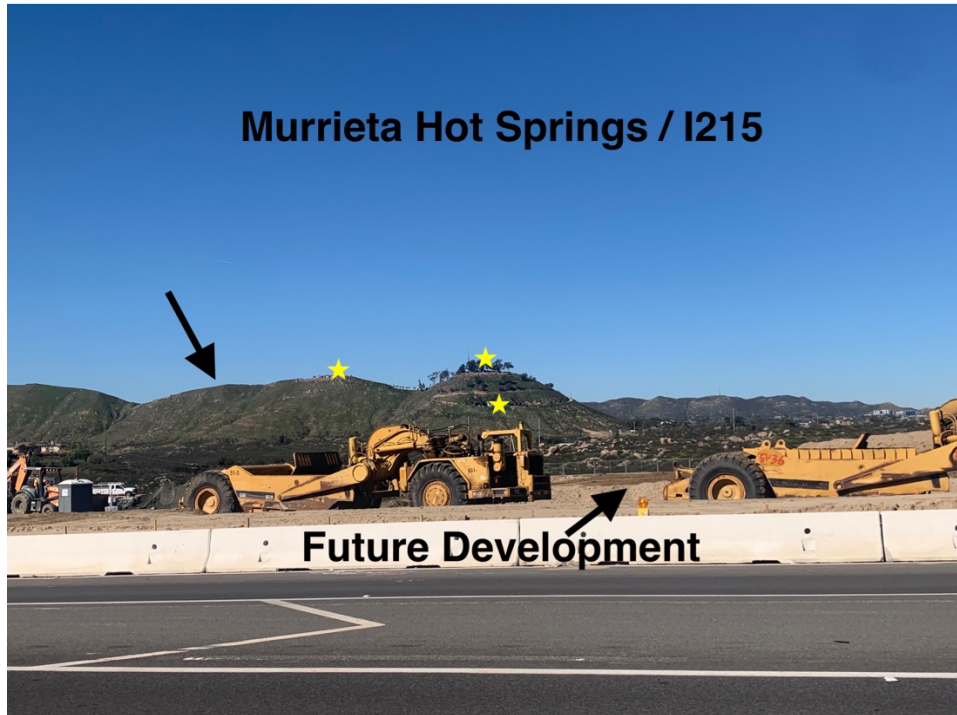
Winchester Rd. (Hwy 79)



Winchester Rd. (Hwy 79)



Yellow stars indicate homes



Yellow stars indicate homes

Southbound I215



Southbound I215



The following pictures are some of the development and homes that cannot be seen from most viewsheds









Again, every square foot of our property has been graded, trenched, built on and/or had imported fill dirt. Clearly, our properties are NOT in the natural ridgeline state. Placing us in these HOM and/or PRM, restricting our use of land that has already been developed will cause us hardship and will significantly impact our business and family that has been here for 5 generations.

There are several ridgelines that are still in their natural state. However, as development continues the viewshed will continue to dwindle. Nevertheless, if the city council continues to support a PRM, I suggest preserving undeveloped ridgelines that are in their natural state as stated in the General Plan. See below picture:

The Center Hogback is the tallest and largest Hogback and the ridgeline is in its natural state.

This Ordinance is not being mandated from the region, state, and/or federal government. On the contrary, it is a local decision, one of the few you get to make these days.

We ask that you reconsider our property and remove it from the HOM, PRM or any other map that would cause us restrictions the rest of the city is free from, and instead focus on preserving undeveloped ridgelines that are in their natural state, such as the below picture:



Respectfully.
Alan Long
Resident
Heritage Hill, Owner