

ORDINANCE NO. 597-23

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, APPROVING AND ADOPTING AMENDED MASTER DEVELOPMENT PLAN MDP-2021-2430 ON A 22-ACRE SITE TO BE DEVELOPED WITH 62 SINGLE-FAMILY DETACHED LOTS WITH RELATED IMPROVEMENTS FOR CIRCULATION, INFRASTRUCTURE, AND MURRIETA CREEK LOCATED EAST OF MURRIETA CREEK, WEST OF NEW CLAY AVENUE, AND SOUTH OF “B” STREET WITHIN THE RESIDENTIAL SINGLE-FAMILY 1 (RS-1) ZONE OF THE DOWNTOWN MURRIETA SPECIFIC PLAN (DMSP) AREA (APN’s 906-193-001, 906-200-001, 002, 906-212-001, 906-221-001, 002)

WHEREAS, the applicant, Diversified Pacific Development Group LLC., (Permittee/Owner) submitted applications for an Amended Master Development Plan (MDP-2021-2430), Revised Tentative Tract Map (TTM-2021-2428) and Revised Development Plan Permit (RP-2021-2429) for the development and subdivision of 22 gross acres for 62 single-family detached and neotraditional residential units known as Ivy House (“Project”). The site has a Land Use Designation of Single Family in the General Plan and is zoned Residential Single Family 1 (RS-1); and

WHEREAS, The project site is located in the Downtown Murrieta Specific Plan (DMSP) area and is subject to the requirements of the Residential Single-Family 1 (RS-1) zone. The RS-1 zone within the DMSP requires a minimum lot size of 7,200 square feet but allows lots as small as 5,000 with the adoption of a Master Plan Overlay. The Master Development Plan development standards also would apply. The DMSP serves as a Master Plan Overlay pursuant to Section 16.16.10.C.1. of the Development Code; and

WHEREAS, a public hearing was duly noticed for the Planning Commission meeting of June 14, 2023, by mailing a notice to property owners within a 300-foot radius of the site on June 4, 2023, publishing the notice in The Press-Enterprise newspaper on June 4, 2023, and posting the Project site on June 4, 2023; and

WHEREAS, pursuant to Development Code section 16.64.040, the City Council is authorized to approve master development plans and amendments. The Planning Commission shall provide written recommendations to the council regarding master development plan adoption and amendments; and

WHEREAS, on June 14, 2023, the Planning Commission of the City of Murrieta held a duly noticed public hearing, and after considering all written and oral reports of staff, public testimony on the matter, and written and oral testimony provided by the applicant, recommended the City Council approve the Master Development Plan Amendment; Development Plan Revision and Tentative Tract Map Revision; and

WHEREAS, a public hearing for the Project was held by the Planning Commission on June 14, 2023, at which time reports, recommendations, and public statements were considered; and

WHEREAS, at its meeting on June 14, 2023, the Planning Commission used its independent judgment and considered all the reports, recommendations, and testimony set forth above, voted (5-0) recommending approval to the City Council; and

WHEREAS, a hearing on the matter was duly noticed as provided in Development Code section 16.76 for the City Council meeting of October 3, 2023; and

WHEREAS, a public hearing was duly noticed for the City Council meeting of October 17, 2023, for the Second Reading,

WHEREAS, the City Council has considered the facts presented in this case, including the written and oral staff reports on the Project, public testimony, and written and oral evidence presented to the Planning Commission,

NOW, THEREFORE, the City Council of the City of Murrieta, California, does ordain as follows:

SECTION 1. FINDINGS

Based upon the substantial evidence presented at the public hearings on June 14, 2023, including written and oral staff reports and public and applicant written and oral testimony on the record from the Planning Commission public hearing, in accordance with Murrieta Development Code chapter 16.64, the City Council of the City of Murrieta approves the Revised Master Development Plan MDP-2021-2430 in accordance with the following findings pursuant to Development Code Section 16.64.110:

1. The proposed Master Development Plan is consistent with the objectives, policies, general land uses, programs, and actions of all elements of the general plan.

FACTS: The proposed amended Master Development Plan establishes standards consistent with the General Plan and Downtown Murrieta Specific Plan, including Goal LU-17: Historic Murrieta as the City's cultural, civic, and community center. Policy LU-17.3 Encourage the location of civic, institutional, office, and other job-creating uses in Historic Murrieta. Supportive residential development should be encouraged. This project provides supportive residential development to implement Goal and Policy LU-17, LU-17.3. Goal ED-10: A revitalized and economically stable Historic Downtown Murrieta. Policy ED-10.5 Consider opportunities for the development of higher-density residential uses to support commercial development within the Historic Downtown. The standards for the Residential Single Family 1 (RS-1) zone, the site design, and architectural standards are in Section 5.0. The revised Master Development Plan identifies the distribution, location, and extent of land uses within a development site and identifies regulations and criteria for the development of the site. The density is 3.5 d.u. per acre for the RS-1 zoned properties and is within the permitted range of this zone with the adoption of the revised Master Development Plan. The Project preserves and dedicates natural resources related to Murrieta Creek and implements several components of the site design and architectural standards in Section 5.0 of the Downtown Specific Plan such as landscaped parkways, street trees for each lot, alleys and alley-loaded garages, and front porches.

2. The Master Development Plan adequately addresses the physical development characteristics of the subject site.

FACTS: The project site will be graded and include stormwater treatment and drainage facilities to comply with flood zone requirements of the Federal Emergency Management Agency (FEMA). The proposed project design preserves approximately 40% of the project site as open space. The project does not adversely impact and is found to be consistent with the Army Corps of Engineers and Riverside County Flood Control District Murrieta Creek Improvement project regarding establishing the top of the bank and setbacks from ultimate improvements. The Drainage Study, CLOMR, and grading plan show a design that can provide adequate setbacks from the floodway of Murrieta Creek to provide a flood-free Project.

3. The development standards contained in the Master Development Plan serve to protect the public convenience, health, safety, and general welfare.

FACTS: The revised Master Development Plan will contribute to the completion of links and improvements in the City's circulation and trail system. The proposed project incorporates water quality management measures and furthers the objectives of the Downtown Murrieta Specific Plan. Development standards have been evaluated and found to be consistent with the Development Code to protect the public convenience, health, safety, and general welfare.

4. The Master Development Plan is consistent with all applicable requirements of local ordinances and state law.

FACTS: The proposed Master Development Plan is consistent with the Downtown Murrieta Specific Plan, including the standards for the RS-1 zone (landscaping, setbacks, building heights) as well as lighting standards unique to the DMSP, and stormwater design. Pursuant to Section 16.16.10 C. 1. of the Development Code, a Master Plan Overlay shall be implemented by a Master Development Plan and the Downtown Murrieta Specific Plan serves as the overlay. The project has been subject to a joint project review and findings by the Regional Conservation Authority which found that the project is consistent with the criteria of the Multiple Species Habitat Conservation Plan. All permits relating to building permits, water quality management, regional drainage systems, and natural watercourses will be obtained and are conditioned with the Project.

5. The proposed Master Development Plan or amendment would be in compliance with the provisions of the California Environmental Quality Act (CEQA).

FACTS: An addendum to the previously certified Mitigated Negative Declaration (MND) was prepared in compliance with Section 15164 of the California Environmental Quality Act. The residential development is not proposing any substantial changes that will require any significant revisions to the certified MND due to the involvement of new significant environmental effects or an increase in the severity of any identified significant effects; there have been no new substantial changes in the circumstances under which the Project was undertaken which will require major revisions of the previous certified MND, and new information of substantial importance has not been discovered. The Project is subject to the previous Mitigation Measures identified in the Mitigation Monitoring and Reporting Program (MMRP).

6. The proposed master development plan amendment would not create internal inconsistencies within the master development plan and is consistent with the purpose and intent of the master development plan it is amending.

FACTS: The Amended Master Development Plan is consistent with the Downtown Murrieta Specific Plan, including the standards for the RS-1 zone. Pursuant to Section 16.16.10 C. 1. of the Development Code, a Master Plan Overlay shall be implemented by a Master Development Plan and the Downtown Murrieta Specific Plan serves as the overlay. The amended Master Development Plan replaces and voids the previous master development plan and would not create internal inconsistencies within the master development plan. The project has been subject to a joint project review and findings by the Regional Conservation Authority which found that the project is consistent with the criteria of the Multiple Species Habitat Conservation Plan.

7. The proposed Master Development Plan would be in compliance with the provisions of the Multiple Species Habitat Conservation Plan (MSHCP).

FACTS: The City of Murrieta adopted the Multiple Species Habitat Conservation Plan (MSHCP) on September 16, 2003. The proposed development site is within Criteria Area #6314 and

proposed constrained linkage #13 as defined by the MSHCP. A Joint Project Review was completed on October 26, 2007, determining the proposed project is consistent with the goals and policies of the MSHCP with recommendations to implement certain measures. The City has required implementation of these measures as conditions of approval. Therefore, the City determines the project is consistent with MSHCP.

SECTION 2. APPROVAL

The Amended Master Development Plan for the Ivy House Project within the Downtown Murrieta Specific Plan (MDP 2021-2430), attached to this ordinance as Exhibit A (“Ivy House MDP”), is hereby adopted and incorporated herein by this reference. The City Clerk is directed to reflect the adoption of the Ivy House Amended MDP on the City of Murrieta Zoning Map, on file in the Office of the City Clerk.

SECTION 3. EFFECTIVE DATE

This ordinance shall take effect and be enforced thirty (30) days following its adoption.

SECTION 4. NOTICE OF ADOPTION. The City Clerk shall certify the adoption of this ordinance and shall publish a summary of this ordinance and post a certified copy of the full ordinance in the office of the City Clerk at least five (5) days prior to the adoption of the proposed ordinance; and within fifteen (15) days after adoption of the ordinance, the City Clerk shall publish a summary of the ordinance with the names of the council members voting for and against the ordinance.

ADOPTED by the City Council and signed by the Mayor and attested by the City Clerk this ____ day of _____, 2023.

Lisa DeForest, Mayor

ATTEST:

Cristal McDonald, City Clerk

APPROVED AS TO FORM:

Tiffany 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 _____, 2023, and that thereafter the said ordinance was duly and regularly adopted at a regular meeting of the City Council on the ____ day of _____, 2023, by the following vote.

AYES:

NOES:

ABSENT:

ABSTAIN:

IN WITNESS WHEREOF, I have hereunto set my hand and official seal of the City of Murrieta, California this ____ day of _____, 2023.

Cristal McDonald, City Clerk

DRAFT

MDP-2021-2430 (MASTER DEVELOPMENT PLAN) DEVELOPMENT STANDARDS FOR IVY HOUSE (EXHIBIT A)

(Modified by Planning Commission June 14, 2023)

Boundaries consist of Assessor Parcel Numbers:

- 906-193-001
- 906-200-001
- 906-200-002
- 906-212-001
- 906-221-001
- 906-221-002

Development Standards -

The project is subject to the development standards shown in the following table. For standards not specifically addressed herein, the standards applicable to the RS-1 zone of the Downtown Murrieta Specific Plan would be applicable.

MASTER DEVELOPMENT PLAN

NEOTRADITIONAL RESIDENTIAL STANDARDS	
RESIDENTIAL DENSITY (DU/NET ACRE)	3.5
MINIMUM LOT AREA (SQ. FT.)	5,000
MINIMUM LOT WIDTH (FEET)	50
MINIMUM LOT DEPTH (FEET)	100
MAXIMUM BUILDING HEIGHT (FEET)	30
MINIMUM YARD/PARKING SETBACKS	
FRONT YARD SETBACK (FEET)	10 - to house, 5 - to porch
SIDE YARD SETBACK INTERIOR (FEET)	5
SIDE YARD SETBACK @ CORNER STREET (FEET)	10
ALLEY SETBACK (FEET)	>2'
STREETSCAPE PROGRAM	
<u>LOCAL RESIDENTIAL ROADS</u>	
TRAVEL LANE (FEET)	10
PARKING WIDTH (FEET)	8
PARKWAY (FEET)	12
<u>NEW CLAY AVENUE</u>	
TRAVEL LANE (FEET)	12
PARKING WIDTH (FEET)	8
PARKWAY (FEET)	5
SIDEWALK (FEET)	5
VEGETATED BUFFER (FEET)	3
<u>B STREET</u>	
TRAVEL LANE (FEET)	12
PARKING WIDTH (FEET)	8
PARKWAY (FEET)	5
SIDEWALK (FEET)	5
BIKE LANE (FEET)	5

- a. **Additions** - All additional building area proposed after the initial construction of each lot are subject to:
- Approval by the Homeowners Association or Property Owners Association, and
 - Administrative review, including architecture, by the Planning Director or his/her designee.
- b. **Landscape/Hardscape** -
- All planter areas shall provide a minimum 5 feet wide planter area clear of curbs, concrete step-out strips, walkways, walls, footings, and overhead supports. If narrower landscape areas are necessary due to site constraints, the restricted width planters are to have naturally narrow growing sub-shrubs.
- c. **Parking** -
- Parking within the Alley ROW is prohibited and will be enforced via Homeowners Association or Property Owners Association and will have no parking signs placed onsite.
- d. **Walls, Gates, and Fences** -
- Gates separating the alley right of way and garage face are prohibited.
 - Outdoor Storage in an unfenced area is prohibited.