



CITY OF MURRIETA

City Council Meeting Agenda

Report

3/5/2024
Agenda Item No. WS1.

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

FROM: David Chantarangsu, AICP Development Services Director

PREPARED BY: Chris Tracy, AICP Senior Planner, Advanced Planning

SUBJECT: Hillside Updates Workshop (DCA-2021-2396) - Ordinance Overview

RECOMMENDATION

Receive a presentation by staff, discuss the Ordinance overview, and provide direction related to policy options under the proposed Ordinance framework; and

Receive public comments.

PRIOR ACTION/VOTE

On March 29, 2022, the City Council directed staff to review the hillside development standards (Non-Action Item).

On June 28, 2023, the Planning Commission recommended the introduction and first reading of an Ordinance providing updates to the hillside development standards amending Murrieta Municipal Code (MMC) Chapters 8.20, 15.52, and updating portions of Title 16 (Vote 4-0-1) (Attachment 1).

On August 15, 2023, the City Council hosted a workshop on this item. The City Council requested additional information. The workshop was continued to a future meeting date. Additional details from this discussion are provided within the Analysis portion of this report below (Attachment 2).

CITY COUNCIL GOAL

Maintain a high performing organization that values fiscal sustainability, transparency, accountability and organizational efficiency.

BACKGROUND

For details about the historical context of the hillside development standards and why these updates are being brought forward, please refer to the Background Section as provided within Attachment 1. Staff is bringing forward these updates in a continued workshop for the City Council to review the proposed standards and provide input ahead of a future public hearing. This allows for time for staff to walk through the more complex updates with the City Council and allows for feedback on new information produced by staff since the last

workshop.

The purpose of this effort to update the City's hillside standards is to improve readability and graphic exhibits, resolve code inconsistencies, incorporate best practices, and simplify the standards to make them more user-friendly to staff and applicants. The City's existing hillside development standards, contained in Chapter 16.24 (Hillside Development) of the Development Code, were added in 1997 to support the City's 1994 General Plan land use goals and policies associated with the City's hillside features. The General Plan continues to contain goals and policies in hillside areas to "maintain the natural character and the environmental and aesthetic values of sloped areas."

Analysis

As described in the beginning of this report, the City Council conducted a first workshop on this item on August 15, 2023. The workshop was continued to allow staff to conduct additional analysis in response to City Council questions and public concerns. Specifically, the City Council directed staff to provide additional mapping details for both the hillside areas and prominent ridgeline map exhibits. These recommended updates cover parcels that are owned by the Riverside Conservation Authority (RCA), properties that fall under Multi-Species Habitat Conservation Preservation (MSHCP) Criteria Cells, City-owned parcels, and to identify undeveloped and developed parcels within areas potentially affected by changes to the proposed standards. Attachments 3 through 11 depict the data described above graphically through multiple maps and were created using the City's land use data available through its GIS software.

As a result of the additional analysis conducted by staff, it was determined that out of 371 privately owned parcels, only 51 would be fully affected by changes to the hillside standards since they were not previously developed. The developed 179 parcels would be subject to the new hillside standards if adopted, but existing development would remain. Only new developments such as additions, property redevelopment where housing structures were rebuilt, or future subdivisions/ lot splits would be affected. City and RCA-owned parcels would be unaffected since parcel development is not the goal of public agency ownership of open space lands other than for recreational purposes. Staff notes a key development restriction applicable to ridgelines would be removed with the proposed regulations and replaced with requirements for landscape screening.

Hillside Area(s)

- 319 parcels are developed and are privately owned. These parcels would be subject to the new requirements if additional development on the parcels was ever proposed, such as a room addition, reconstruction of a home, or a subdivision or parcel map.
- 179 parcels that are developed, are privately owned and are within an MSHCP Criteria Cell.
- 51 parcels in the study area are undeveloped and privately owned. These parcels represent the remaining undeveloped areas within the proposed Hillside Overlay area that would be required to follow the new requirements if adopted.
- 30 parcels are undeveloped, are privately owned and are within an MSHCP Criteria Cell.
- 0 parcels are undeveloped, publicly owned, and are within the boundaries of an MSHCP Criteria Cell.
- 25 parcels are undeveloped and owned by the RCA.
- 1 parcel is undeveloped and is privately owned by an entity for conservation purposes.

Prominent Ridgeline(s)

- 22 parcels are developed and are privately owned.
- 21 parcels are developed, are privately owned and are within an MSHCP Criteria Cell.

- 8 parcels are undeveloped and privately owned.
- 7 parcels are undeveloped, privately owned and are within an MSHCP Criteria Cell.
- 0 parcels are undeveloped and publicly owned.
- 0 parcels are undeveloped, publicly owned and are within the boundaries of an MSHCP Criteria Cell.
- 0 parcels are undeveloped and are owned by the RCA.

With respect to acreage, the total acreage for all parcels within the mapped hillside areas encompasses 2,157 acres throughout the City. Staff notes this figure includes prominent ridgeline areas. Undeveloped privately-owned parcels represent approximately 457 acres, conserved publicly-owned parcels represent approximately 492 acres, City-owned parcels represent approximately 163 acres, developed and publicly-owned parcels represent approximately 177 acres, and developed privately owned parcels represent approximately 1,152 acres.

Lastly, the total acreage for all parcels within the mapped Prominent Ridgelines Area encompasses approximately 445 acres. Staff notes that overlay does not cover the entirety of a parcel. Undeveloped privately owned parcels within the ridgelines area represent approximately 114 acres, conserved publicly-owned parcels represent approximately 170 acres, and developed privately owned parcels represent approximately 161 acres.

Mapping Updates

On December 2022, the Murrieta Hills Specific Plan was annexed into the City's boundaries as approved by Riverside County's Local Agency Formation Commission (LAFCO). Murrieta Hills is adjacent to the Greer Ranch Specific Plan along its northerly boundary and has a large variation in topography throughout the project's boundaries. The prior Hillside Overlay Map Exhibit identified much of the Murrieta Hills project area as being within the overlay boundaries. Similar to other specific plans within the City, Murrieta Hills has its own hillside development protocols. Given this additional detail, staff updated the map (see the following page for the image and as referenced under Attachment 3) to reflect this recent boundary modification.

Image 1 - Hillside Overlay Exhibit

Summary of Proposed Code Modifications - MMC Chapters 8.20 and 15.52:

- **Updates to MMC Section §8.20.030 "Declaration of Nuisance"**
 - Code Enforcement Division's request to address revegetation of sloped areas after a catastrophic event.
- **Updates to MMC Section §15.52.020 "Definitions" for Consistency"**
 - Clarification of a definition for "Hillside Area" and "Hillside Site" for consistency with the proposed updates under Chapter 16.

Summary of Proposed Code Modifications - MMC Title 16

For the updates as proposed under Title 16, please refer to Attachment 12 for a "side-by-side" comparison as it relates to the current MMC Section versus the proposed updates. Lastly, as provided in Attachment 12, a "Strikeout-Underline" version of the proposed amendments is included for further details as the Planning Commission recommends (Attachment 13).

For the City Council's reference, staff also prepared the table below to describe the changes recommended by staff and approved by the Planning Commission. Attachment 13 depicts additions and deletions to the

proposed ordinance in redline/strike-through format.

Summary of Changes

Topic	Description
Building Height	Less Restrictive – more flexibility for building height measurement as a result of sloped topography.
Retaining Wall Height	Change in approach - more restrictive in non-hillside areas to improve aesthetics by eliminating walls over 12 feet in height, with provisions for additional setbacks, and landscaping requirements.
Applicability	Change in approach – eliminates uncertainty by replacing a formula applicable to any property to properties that are predominantly greater than 25% slope.
Prominent Ridge Definition	Information only – establishes a reference map representative of the City's past and current General Plan descriptions of significant landforms in the City.
Clarification of Zoning Application Requirements for Hillside Development	Adds clarity - Updates language adopted in 1997 that has never been updated, and that does not reflect current best practices for depicting information.
Slope Categories	Adds clarity – eliminates code inconsistencies
Site Design	Adds clarity - Updates graphic exhibits and identifies reviewing parties for driveways/roadways. Specifies use of landscaping as a recommended design technique with roadways.
Architecture	Change in approach – modifies existing building height approach to follow the proposed building height measurement change. Net effect could be slightly higher buildings, but with more cohesive architectural design.
Walls and fences	Change in approach - more restrictive in hillside areas to improve aesthetics by eliminating walls over 6 feet in height, with provisions for additional setbacks, and landscaping requirements. Graphics also updated.

Landscaping	Adds clarity – adds objective language requiring consistency with specific standards already required and replaces other terminology to eliminate conflicts.
Grading	Change in approach – requires analysis by a licensed engineer. Eliminates ridgeline restriction for structure placement and adds requirements for landscape screening of structures instead. Other non-substantive changes made for clarity.
Drainage	Adds clarity – makes non-substantive changes to existing requirements.
Public Safety	Adds clarity – incorporates fire and building codes, identifies fire and building personnel, and establishes a requirement for secondary access or other alternative method.
Hillside Development Guidelines	Adds clarity – updates graphics, incorporates references to the proposed Prominent Ridgelines Map, incorporates references to residential design standards elsewhere in the Zoning Code, eliminates subjective design suggestions and makes them mandatory, and makes other non-substantive text changes. <u>Some grading requirement updates could be considered more restrictive but are likely safer and reduce the visual impacts of grading.</u>
Exceptions	New – identifies work or activities not subject to the proposed standards.
General Landscape Standards	New – identifies a plant size mix of one (one) gallon and five (5) plants to be 30%/70%, respectively, for new planting, which would apply throughout the City, including in hillside development projects.

The following points summarize the findings from the mapping analysis:

“Natural” Areas versus “Manufactured” Grading - Ridgeline Discussion and Parameters

There is public interest in these overall updates, particularly concerning ridgeline development parameters and how regulations apply to existing natural hillside areas versus areas previously graded referred to as manufactured slopes. The applicability of the current standards is summarized below as contained in MMC Section 16.24.020. Regardless of how the ordinance may have been applied in the past, the Municipal Code requires the standards be applied in the following situations as specified in MMC Section 16.24.020:

- To uses and structures within areas with a slope of twenty (20) percent or greater and/or are designated on the significant features map on file with the department.

- Development standards, guidelines, and provisions of Chapter 16.24 shall be applied to those portions of land with a predominance of significant natural slopes exceeding twenty-five (25) percent and areas that are integrally contiguous or slopes determined as significant by the director.
- The determination of slope is to be computed on the natural slope of the land before grading is commenced.

Notwithstanding the conflicting slope language that currently exists, the application of City hillside standards in MMC Chapter 16.24 applies to property that exceeds a certain natural slope. Since many properties potentially eligible for the proposed regulations were developed under county jurisdiction, there is no precise way to determine which areas of a site are natural or disturbed other than through an engineering opinion. Adoption of the proposed Hillside Overlay Map eliminates any debate or confusion about this topic. Even the current hillside ordinance recognizes that a property with natural and disturbed grades is still subject to the requirements of the hillside ordinance as described by the second bullet point above.

The following information also provides the current General Plan within the Municipal Code and staff's related analysis.

General Plan Provisions and Ridgelines

The following summarizes the General Plan's Goals and Policies related to ridgeline development.

- Goal CSV-5: *"Hills and ridges are protected for their environmental and aesthetic values", and related implementing Policy CSV-5.1. To substantiate this determination, this ordinance update will remain consistent with Policy CSV-5.1 and the following discussion.*
 - Policy CSV-5.1: *"Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas."*

For the Los Alamos Hills community: Land Use Goal LU-22 applies to ridgeline development in that *"...Natural and visual resources are valued resources to maintain the rural character of the Los Alamos Hills"* and is achieved 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."*

Development Code Provisions and Ridgelines

Chapter 16.24 Current Definitions and Design Parameters:

Prominent Ridge: A ridge or hill location that is visible from Interstate 15 or Interstate 215 or from an arterial or secondary street that forms part of the skyline or is seen as a distinct edge against a backdrop of land.

Ridge: An extended, narrow, conspicuous elevation of land generally between valleys. (Staff note: the defined term "Ridge" has been separated from the definition of "Prominent Ridge" for the purposes of this report. As of this writing, it is not known if the language should be separated or left as is. This will require further staff review).

A. Site Design.

1. *Design of building sites should be sensitive to the natural terrain. Structures should be located to minimize grading and preserve natural features (e.g., prominent knolls, ridgelines, etc.)*
2. *Preserve views of significant visual features, as designated on the hillside overlay zone map, as seen from both within and outside a hillside development. When designing lots and plotting homes, the following provisions should be considered:*
 - a. *Dwellings should be oriented to allow view opportunities even though views may be limited. Residential privacy should not be unreasonably sacrificed, and*
 - b. *A significant public vista, skyline, open space corridor, or vertical open space corridor as seen from an interstate, an arterial, or a secondary street should be a major design element in the site planning process*
3. *Structures shall not visually impair ridgeline silhouettes. Structures are not permitted closer to a prominent ridge than fifty (50) feet measured vertically on a cross-section or one hundred fifty (150) feet horizontally on a topographic map, whichever is more restrictive. Exceptions to this requirement for public facilities, utilities, and infrastructure necessary to serve the public health, safety, and welfare may be considered by the commission.*
- e. *Manufactured cut and fill slopes exceeding ten feet in height that will be either exposed to permanent public view or are adjacent to environmentally sensitive areas should be designed with features characteristic of natural slopes, where physically feasible so that their ultimate appearance will resemble a natural slope. This will include slopes along streets and highways adjacent to parks, schools, open spaces, other public facilities, and other prominent and visible slopes.*

Discussion

As demonstrated in the above descriptions, both the General Plan and Municipal Code call for the preservation of “ridgeline-related” visual resources covering both natural and manmade areas. Policy CSV-5.1 speaks to maintaining the aesthetic values of sloped areas where the ridgeline would be a slope component. For the Los Alamos Hills Area under LU-22.1, calls for the preservation of both natural and visual resources, and LU-22.2 speaks to encouraging new construction and landscape design that utilizes grading techniques to mimic the natural terrain. Again, the ridgeline would be an aesthetic component under both of these implementing policies.

As described within the Development Code, it calls for the preservation of significant visual features, and one could make the case that a ridgeline represents this type of feature, whether natural or manmade. Further, it describes that structures shall not visually impair ridgeline silhouettes with setback criteria. Lastly, manufactured cut and fill slopes with prominent and visible slopes need to be designed in a manner that emulates natural conditions.

FISCAL IMPACT

None.

ATTACHMENTS

1. Planning Commission Ordinance Introduction Staff Report, June 28, 2023
2. City Council Workshop 1 Staff Report, August 15, 2023
3. Citywide - Hillside Overlay Map Exhibit
4. Citywide - Prominent Ridgelines Map Exhibit
5. Focused 1 - Prominent Ridgelines - Los Alamos Hills Area
6. Focused 2 - Hillside - Los Alamos Hills Area
7. Focused 3 - Hillside - Greer Ranch Area

8. Focused 4 - Hillside - Murrieta Hills Area
9. Focused 5 - Hillside - Bear Creek Area
10. Focused 6 - Hillside - Western City Quadrant - Northwest Section
11. Focused 7 - Hillside - Western City Quadrant - Southwest Section
12. Title 16 Modifications - "Side-by-Side" Comparison
13. Draft Ordinance - Title 16 - Strikeout-Underline
14. Correspondence