

**PLANNING COMMISSION  
RESOLUTION NO. 2023-07**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING CITY COUNCIL APPROVAL OF THE ENVIRONMENTAL DETERMINATION, MASTER DEVELOPMENT PLAN 2021-2430, TENTATIVE TRACT MAP 2021-2428, AND REVISED DEVELOPMENT PLAN PERMIT 2021-2429 FOR IVY HOUSE, A 22-ACRE SITE TO BE DEVELOPED WITH 62 SINGLE-FAMILY DETACHED LOTS AND RELATED IMPROVEMENTS FOR CIRCULATION, INFRASTRUCTURE, AND MURRIETA CREEK DRAINAGE CHANNEL LOCATED EAST OF MURRIETA CREEK, WEST OF NEW CLAY AVENUE, AND SOUTH OF “B” STREET WITHIN THE RESIDENTIAL SINGLE-FAMILY 1 (RSF-1) ZONE OF THE DOWNTOWN MURRIETA SPECIFIC PLAN AREA.**

WHEREAS, the applicant, Diversified Pacific Development Group LLC., (Permittee/Owner) submitted applications for an Amended Master Development Plan (MDP-2021-2430), 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 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 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 16.16.010(C)(1). of the Murrieta Municipal Code (Development Code); and

WHEREAS, Pursuant to Section 16.16.010(C)(2) of the Development Code, a Master Plan Overlay shall be implemented by a Master Development Plan (in accordance with Chapter 16.64 of the Development Code); and

WHEREAS, pursuant to the provisions of the California Environmental Quality Act, Public Resources Code Section 21000 *et seq.* (“CEQA”) the Project is subject to review under CEQA, and the City of Murrieta as the lead agency, is responsible for assessing the environmental impacts, if any, which may result from the Project; and

WHEREAS, in accordance with CEQA Guidelines (Cal. Code. Regs. Title 14) Section 15164, an Addendum to the previously certified Mitigated Negative Declaration (MND) has been prepared as none of the criteria under CEQA Guidelines Section 15162 has occurred; (1) there are no substantial changes to the Project that require major revisions to the MND due to new significant environmental effects, (2) there are no substantial changes with respect to the circumstances under which the Project is considered that involve any new significant environmental effects or substantial increase in the severity of previously identified significant effects, and (3) no new information that shows the Project will have more significant effects not previously discussed, no

new significant effects previously examined will be substantially more severe than previously shown, no new mitigation measures are necessary; 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, 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; and

NOW, THEREFORE, the Planning Commission of the City of Murrieta resolves and recommends to City Council as follows:

**SECTION 1.** The Planning Commission of the City of Murrieta hereby considered the following facts and makes findings with regard to Master Development Plan 2021-2430 in accordance with Chapter 16.64 of the Development Code:

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 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 uses, and other job-creating uses in Historic Murrieta. Supportive residential development should be encouraged. This project provides the 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 in Section 5.0. The 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 for the RS-1 zoned properties and is within the permitted range of this zone with the adoption of the Master Development Plan. The proposed 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 for proper drainage to Murrieta Creek and to comply with flood zone requirements of the Federal Emergency Management Agency (FEMA). The proposed project represents exceptional merit in preserving approximately 40% of the project site as open space. The Project does not impact, and is found to be consistent with, the Army Corps of Engineers and Riverside County Flood Control District

Murrieta Creek Improvement project in regards to establishing the top of the bank and setbacks from ultimate improvements.

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

FACTS: The proposed 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 are identified 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. Pursuant to Section 16.16.010(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 Multi-Species Habitat Preservation Plan. All permits relating to building permits, water quality management, regional drainage systems, and natural watercourses will be obtained.

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 CEQA Guidelines Section 15164. The residential development is not proposing any substantial changes which will require any substantial revisions to the Mitigated Negative Declaration previously certified since there will be no 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 Mitigated Negative Declaration; and no new information of substantial importance has 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 proposed Master Development Plan is consistent with the Downtown Murrieta Specific Plan, including the standards for the RS-1 zone. Pursuant to Section 16.16.010(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 Multi-Species Habitat Preservation 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 Multiple Species Habitat Conservation Plan (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. Findings of Approval for Tentative Tract Map 2021-2428 (TTM 34439) pursuant to Development Code Section 16.94:**

1. The proposed Tentative Tract Map, design, or improvement is consistent with the objectives, policies, general land uses, and programs of the General Plan, and any applicable specific plans or master development plan, as specified by State Law.

FACTS: The proposed Tentative Tract Map is consistent with the objectives, policies, general land uses, and programs of the General Plan, the Downtown Murrieta Specific Plan, Amended Master Development Plan, and all applicable provisions of the Development Code. The map is consistent with the Downtown Murrieta Specific Plan, the proposed Tentative Tract Map is consistent with the standards for the RS-1 zone and the Amended Master Development Plan development standards. The density is consistent with the RS-1 base zone and within the permitted range for this zone. General Plan Goal LU-1 - Provide a complementary balance of land uses throughout the community that meets the needs of existing residents and businesses as well as anticipated growth, and achieves the community's vision. The Project implements this Goal by providing subdivided lots that will accommodate single-family residential uses for the City of Murrieta. The Project is consistent with Policies LU-1.2, LU-1.3, and LU-1.6 – Land use designations that will provide for a wide range of densities, ensure opportunities for all types of housing, and promote future patterns of development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities. As the Project is consistent with the General Plan designation, the Project implements these policies by implementing the land use pattern envisioned in the General Plan. The project would allow for more efficient delivery of infrastructure, transportation, and other public services to the site and the surrounding area. The Project provides for halfway improvements, and full street improvements, including curb, gutter,

and sidewalk to a number of streets that are part of the General Plan Circulation Element (e.g., B Street and New Clay Street). Staff has analyzed the Project design, including conceptual street plans, grading plans, hydrology, stormwater, traffic, and the tentative tract map to ensure the Project provides for a consistent design for future public and private streets. GOAL CIR-1 A circulation system that serves the internal circulation needs of the City, while also addressing the inter-community or travel needs. This goal is achieved by the review of Engineering and CIP staff for the included public roads such as B Street and New Clay Street. As stated in the following policy, CIR-1.5 is to maintain a set of street standards and require that all new road facilities be constructed or upgraded, where feasible, to meet City standards. The General Plan GOAL CIR-2 instructs to have a comprehensive circulation system that promotes safety. The Project design demonstrates, and the confirmed review by staff and certification by the applicant's engineer of work, demonstrates consistency with policy CIR-2.9, to ensure new roadways and intersections provide adequate sight distance for safe vehicular movement. GOAL CIR-6 Alternative travel modes and facilities are available to serve residents and employers/employees and reduce Vehicle Miles Traveled (VMT). The resultant lots that are created by the TTM will have subsequent entitlements and permits applied for, which will provide for job-related businesses to be in close proximity to higher-density residential uses. This provides the opportunity for alternative commute options, including pedestrian and bicycle use. The circulation system provides for sidewalks and bicycle lanes, to continue the connection of alternative modes of transit within the downtown specific plan area. In addition, the Project relies upon VMT analysis, which shows consistency with policy CIR-6.15 Utilize VMT as the performance measure to be used for CEQA transportation analyses conducted in the City in order to be consistent with SB 743. VMT will be the performance measure for both land development and transportation projects as of July 1, 2020.

The Project includes construction of sewer, water, stormwater, sidewalk, pathways, and roads. In confirming conformance with the Infrastructure Element of the General Plan, staff and Applicant have coordinated with the respective water/sewer district to ensure the Project is conditioned to provide adequate services for future business and residential uses. The TTM design demonstrates consistency with GOAL INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, stormwater, and energy. Also, INF-1.4 - Ensure that new development and redevelopment provide infrastructure for water, sewer, and stormwater that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers. Lastly, with analysis of the Water Quality Management Plan, the Project complies with stormwater regulations, for Policy INF-1.11 - Ensure sufficient levels of storm drainage service are provided to protect the community from flood hazards and minimize the discharge of materials into the storm drain system that is toxic or which would obstruct flows. The proposed TTM is consistent with Subdivision Map Act as specified by state law and implemented by the City. The proposed project preserves and dedicates natural resources related to Murrieta Creek.

2. The site is physically suitable for the type or density of development proposed.

FACTS: The project site will be graded for proper drainage to Murrieta Creek and to comply with flood zone requirements of the Federal Emergency Management Agency (FEMA). The proposed project is located in an existing residential area and is physically compatible with the existing surrounding and adjacent properties. The proposed project is easily accessible and served at its perimeter by existing public infrastructure that will be continued onto the project site. The proposed subdivision is physically suitable for the type and density (3.5 units per acre) of the proposed development, and is in harmony, scale, height, bulk, density, and coverage with standards for neo-traditional residential neighborhoods.

3. The design of the proposed Tentative Tract Map and improvements is unlikely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.

FACTS: The proposed subdivision has preserved the most environmentally sensitive areas for open space and conservation. An addendum to the previously certified Mitigated Negative Declaration (MND) was prepared in compliance with Sections 15162 and 15164 of the Guidelines for the California Environmental Quality Act (Cal. Code Regs. Title 14). The Project is subject to the previous Mitigation Measures identified in the Mitigation Monitoring and Reporting Program (MMRP). All permits will be obtained as needed from the Western Riverside County Flood and Water Conservation District which manages compliance with water quality control and storm water pollution prevention. Impacts to jurisdictional areas propose mitigation and appropriate permits will be obtained from applicable state or federal government agencies.

4. The design of the proposed Tentative Tract Map and improvements is unlikely to cause serious public health problems.

FACTS: The proposed subdivision is designed with adequate open space, safe circulation, and proper drainage. Proposed construction will comply with all applicable fire, building, and safety codes. Since a portion of the project site is located within the 100-year and 500-year flood hazard zones, the design also incorporates Federal Emergency Management Agency (FEMA) and General Plan requirements. The permittee has obtained a Conditional Letter of Map Revision from FEMA.

5. The design of the subdivision of the type of improvements would not conflict with easements, acquired by the public at large for access through or use of property within the proposed subdivision.

FACTS: The project will be dedicating property and easements which complete natural drainage systems, wildlife habitat, and linkage routes and other public improvements which satisfy overall public policy and goals for the public at large and/or specific regional concerns.

6. The proposed subdivision is consistent with the Multi-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 Multiple Species Habitat Conservation Plan (MSHCP). A Joint Project Review was completed by the Western Riverside Conservation Authority (JPR-07-05-22-04 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 the implementation of these measures as conditions of approval. Therefore, the City determines the project is consistent with MSHCP.

**SECTION 3.** Findings of Approval for Revised Permit Development Plan 2021-2429 pursuant to Development Code Section 16.56.040:

1. The proposed use is allowed within the subject zoning district and complies with all applicable provisions of the Murrieta Development Code.

FACTS: Modifications to development standards are permitted with the approval of a master Development Plan City of Murrieta Development Code (Section 16.16.010). The proposed Master Development Plan for residential use establishes standards consistent with the City of Murrieta Development Code Chapter 16.64, and Section 16.16.010, and the Downtown Murrieta Specific Plan. The 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 for the RS-1 zoned properties and is within the permitted range of this zone. 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. The use is allowed in the City of Murrieta Downtown Specific Plan (Section 4.0 Table 4-1) which allows for a single-family residential, with approval of a Development Plan Permit.

2. The proposed use would be consistent with the objectives, policies, general land uses and programs of the General Plan and any applicable specific plan.

FACTS: The proposed Tentative Tract Map (TTM) and Development Plan (DP), together with the provisions for its design and improvements, are in conformance with the General Plan, the Downtown Murrieta Specific Plan (DMSP), and Amended Master Development Plan. The proposed Master Development Plan establishes standards consistent with the DMSP, 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 uses, and other job-creating uses in Historic Murrieta. Supportive residential development should be encouraged. 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 in Section 5.0. The 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 for the RS-1 zoned properties and is within the permitted range of this zone with the adoption of the Master Development Plan. The proposed 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 DMSP such as landscaped parkways, street trees for each lot, alleys and alley loaded garages, and front porches. The proposed Tentative Tract Map and Development Plan are consistent with the objectives, policies, general land uses, and programs of the General Plan, the DMSP, Amended Master Development Plan, and all applicable provisions of the Development Code. The TTM and DP are consistent with the DMSP, the proposed Tentative Tract Map and Development Plan are consistent with the standards for the RS-1 zone and the Amended Master Development Plan development standards. The density is consistent with the RS-1 base zone and within the permitted range for this zone. General Plan Goal LU-1 - Provide a complementary balance of land uses throughout the community that meets the needs of existing residents and businesses as well as anticipated growth, and achieves the community's vision. The Project implements this Goal by providing subdivided lots that will accommodate residential uses for the City of Murrieta. The Project is consistent with Policies LU-1.2, LU-1.3, and LU-1.6 – Land use designations that will provide for a wide range of densities, ensure opportunities for all types of housing, and promote future patterns of development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities. As the Project is consistent with the General Plan designation, the Project implements these policies by implementing the land use pattern envisioned in the General Plan. The project would allow for more efficient delivery of infrastructure, transportation, and other public services to the site and the surrounding area. The Project provides for halfway improvements, and full street improvements, including curb, gutter, and sidewalk to a number of streets that are part of the General Plan Circulation Element (e.g., B Street and New Clay Street). Staff has analyzed the Project design, including conceptual street plans, grading plans, hydrology, stormwater, traffic, and the TTM and DP to ensure the Project provides a consistent design for future public and private streets. GOAL CIR-1 A circulation system that serves the internal circulation needs of the City, while also addressing the inter-community or travel needs. This goal is achieved by the review of Engineering and Capital Improvement Program (CIP) staff for the included public roads such as B Street and New Clay Street. As stated in the following policy, CIR-1.5 is to maintain a set of street standards and require that all new road facilities be constructed or upgraded, where feasible, to meet City standards. The General Plan GOAL CIR-2 instructs to have a comprehensive circulation system that promotes safety. The Project design demonstrates, and the confirmed review by staff and certification by the applicant's engineer of work, demonstrates consistency with policy CIR-2.9, to ensure new roadways and intersections provide adequate sight distances for safe vehicular movement. GOAL CIR-6 Alternative travel modes and facilities are available to serve residents and employers/employees and reduce VMT. The resultant lots that are created



by the TTM will have subsequent entitlements and permits applied for, which will provide for job-related businesses to be in close proximity to higher-density residential uses. This provides the opportunity for alternative commute options, including pedestrian and bicycle use. The circulation system provides for sidewalks and bicycle lanes, to continue the connection of alternative modes of transit within the downtown specific plan area. In addition, the Project relies upon VMT analysis, which shows consistency with policy CIR-6.15 - Utilize VMT as the performance measure to be used for CEQA transportation analyses conducted in the City in order to be consistent with SB 743. VMT is the performance measure for both land development and transportation projects as of July 1, 2020.

The Project includes construction of sewer, water, stormwater, sidewalk, pathways, and roads. In confirming conformance with the Infrastructure Element of the General Plan, staff and Applicant have coordinated with the respective water/sewer district to ensure the Project is conditioned to provide adequate services for future business and residential uses. The TTM design demonstrates consistency with GOAL INF-1 - New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, stormwater, and energy. Also, INF-1.4 - Ensure that new development and redevelopment provide infrastructure for water, sewer, and stormwater that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers. Lastly, with analysis of the Water Quality Management Plan, the Project complies with stormwater regulations, for Policy INF-1.11 - Ensure sufficient levels of storm drainage service are provided to protect the community from flood hazards and minimize the discharge of materials into the storm drain system that are toxic or which would obstruct flows. The proposed TTM and DP are consistent with Subdivision Map Act as specified by state law and implemented by the City. The proposed Project preserves and dedicates natural resources related to Murrieta Creek.

3. The approval of the development plan for the proposed use is in compliance with the requirements of the California Environmental Quality Act (CEQA) and there will be no potentially significant negative impacts upon environmental quality and natural resources that could not be properly mitigated and monitored.

FACTS: An addendum to the previously certified Mitigated Negative Declaration (MND) was prepared in compliance with Sections 15162 and 15164 of the California Environmental Quality Act Guidelines. The residential development is not proposing any substantial changes which will require any substantial revisions to the certified Mitigated Negative Declaration 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 Mitigated Negative Declaration; 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).

4. The location, size, design, and operating characteristics of the proposed use would be compatible with existing land uses within the general area in which the proposed use is to

be located.

FACTS: As conditioned, the proposed Project is compatible with the intensity of development for the current land use, and the existing surrounding land uses. The Project site is currently vacant. The proposed project is located in an existing residential area and is physically compatible with the existing surrounding and adjacent properties. The proposed project is easily accessible and served at its perimeter by existing public infrastructure that will be continued onto the project site. The proposed neo-traditional small lot development is consistent with the existing residential area and consistent with the previous 1884 land division. The bulk and scale of the residential use are compatible uses within the general area regarding size, design, and location.

5. The site is physically suitable for the type or density of development proposed.

FACTS: The project site will be graded for proper drainage to Murrieta Creek and to comply with flood zone requirements of the Federal Emergency Management Agency (FEMA). The proposed project is located in an existing rural residential area and is physically compatible with the existing surrounding and adjacent properties. The proposed project is easily accessible and served at its perimeter by existing public infrastructure that will be continued onto the project site. The proposed subdivision is physically suitable for the type or density of proposed development, and is in harmony, scale, height, bulk, density, and coverage with standards for neo-traditional residential neighborhoods.

6. There are adequate provisions for sanitation, water, and public utilities and services to ensure public convenience, health, safety, and general welfare.

FACTS: The Project is designed with adequate common open space, safe circulation, and proper drainage. The site will be served by all necessary public utilities and infrastructure. These provisions are available from existing on-site connections via B Street and New Clay Avenue. The proposed construction will comply with all applicable fire and building safety codes.

7. The proposed project is consistent with the Multi-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 Multiple Species Habitat Conservation Plan (MSHCP). A Joint Project Review was completed by the Western Riverside Conservation Authority (JPR-07-05-22-04 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 the implementation of these measures as conditions of approval. Therefore, the City determines the project is consistent with MSHCP.

**SECTION 4** Murrieta Development Code Section 16.64.100 states that Master Development Plans may be adopted by Ordinance. The recommended Ordinance is attached as Attachment 1, Exhibit A.

**SECTION 5.** The applicant concurrently has filed applications for a Revised Development Plan and Tentative Tract Map (#34439) which would implement the proposed Master Development Plan. The Conditions of Approval proposed for adoption with those applications also would be applicable to the proposed Master Development Plan. Any proposed change to the Development Plan or subdivision which would cause the conditions of approval to be modified would subject the Master Development Plan to a Periodic Review pursuant to Section 16.64.120 of the Development Code to ensure compliance and demonstrate consistency to the satisfaction of the Planning Director.

**SECTION 6.** Pursuant to the above findings, the Planning Commission of the City of Murrieta hereby recommends to the City Council adoption of the Addendum to the Mitigated Negative Declaration (MND) under the California Environmental Quality Act (CEQA) Guidelines Section 15164 and approval of Master Development Plan (MDP-2021-2430), Tentative Tract Map (TTM-2021-2428 #34439) and Revised Permit Development Plan (RP-2021-2429), subject to the Conditions of Approval in Exhibit "B", Exhibit "C", and Exhibit "D".

RECOMMENDED TO PLANNING COMMISSION this 14<sup>th</sup> day of June 2023.

*Michael Fisher*

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Planning Commission, Chairperson

ATTEST:

*Carl Stiehl*

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Carl Stiehl, Interim City Planner

I, Carl Stiehl, Interim 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 14<sup>th</sup> day of June, 2023 by the following roll call vote:

AYES: LaPaglia, Fisher, Harlan, Vrooman, Wojcik  
NOES: None  
ABSENT: None  
ABSTAIN: None

*Carl Stiehl*

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Carl Stiehl, Interim City Planner

**DRAFT CONDITIONS OF APPROVAL  
REVISED DEVELOPMENT PLAN PERMIT 2021-2429, TENTATIVE TRACT MAP #34439  
(TTM-2021-2428) AND  
IMPLEMENTING MASTER DEVELOPMENT PLAN (MDP-2021-2430)  
JUNE 14, 2023**

**PLANNING DIVISION**

**General:**

1. Implementing Revised Permit Development Plan RP-2021-2429 (RP-2021-2429) and Tentative Tract Map 34439 (TTM-2021-2428) shall not become effective until the effective date of Murrieta Ordinance No. X adopting Master Development Plan MDP-2021-2430.
2. The permittee shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this application. The City will promptly notify the permittee and property owner of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
3. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of final action by the approval authority. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits, site work, or other actions authorized by this action shall be processed by the City, nor permitted, authorized or commenced until all outstanding fees are paid to the City.
4. The project approval (Implementing Development Plan) is for the construction of 62 single family units with detached garages, installation of necessary utilities, drainage, landscaping, and associated improvements. All construction plans shall be in substantial conformance with the approved site plans, floor plans, elevations, material and color board(s), landscaping plans and grading plans date approved June 14, 2023, as modified by these conditions of approval. The land division hereby permitted is to subdivide 21.96 acres into 62 residential lots, 4 open space lots, and associated road and drainage improvements. Any proposed change substantially different than the approved plan shall require an amendment to this approval in accordance with the Development Code.
5. The project shall be in substantial conformance with all adopted environmental mitigation measures, any written project proposal information and any verbal agreements or representations made to the decision making body as part of its consideration of the project. Any proposed change substantially different than the approved project shall require an amendment to this approval in accordance with the Development Code.
6. Pursuant to Section 711.4 of the State of California Fish and Game Code, the permittee is required to pay a \$2,406.75 handling fee and a \$50.00 processing fee. Said fees shall be paid to the Clerk/Recorder of the County of Riverside at the time the Notice of

Determination is filed pursuant to Section 21152 of the Public Resources Code. If this fee is not paid, the approval of this project shall not be operative, vested, or final. In order to comply with State mandated timelines for filing of a Notice of Determination the above fee must be delivered to the Planning Division within two (2) working days after the Effective Date.

7. The development of these premises shall comply with the standards of the City's Development Code, the Downtown Murrieta Specific Plan and the Ivy House Master Development Plan (MDP 2021-2430) and all other applicable State and Federal codes.
8. Subsequent modifications of this approval, which do not intensify the use, including but not limited to reorientation of structures, alteration of parking and circulation design, minor changes to the conditions of approval, interpretations of the conditions of approval relative to intent, necessity of, and timing, may be approved by the Planning Director, unless the Director requires a Substantial Conformance or Revised Permit application in accordance with the Development Code.
9. The permittee shall pay all applicable impact and/or mitigation fees or provide proof that all required fees have been paid in accordance with City policies and ordinances in effect at the time of permit issuance.
10. Any existing approval for the use of, or development on, this property shall become null and void upon final approval of a grading or building permit by the City of Murrieta.
11. The permittee shall comply with all applicable provisions of federal, state, and local ordinances in effect at the time of building permit issuance.
12. The permittee shall obtain approval of all necessary plans for the construction of structures on the subject property in accordance with the Murrieta Development Code. Such plans include, but are not limited to, site plans, floor plans, building elevations, grading plans and landscaping plans.
13. The Implementing Development Plan approval shall be used within two (2) years of approval date or prior to the expiration of TTM-2021-2428 (January 17, 2026), otherwise it shall become null and void and of no effect whatsoever. "Used," means the beginning of substantial construction contemplated by this approval which is thereafter diligently pursued to completion or to the actual occupancy of existing buildings or land under the terms of the authorized use, in accordance with Development Code 16.80.
14. This approval/use shall be used/established within three (3) years of the Effective Date, otherwise it shall become null and void and of no effect whatsoever. "Used," means implementation of the authorized use, in its entirety, in accordance with these conditions of approval.
15. The project shall be developed in compliance with all applicable requirements and standards identified within the City's Development Code for Residential Single-Family 1 (RS-1), Master Development Plan 2021-2430, and the Downtown Murrieta Specific Plan (DMSP).
16. All residential lots shall meet the minimum lot size and the Development Standards required by the applicable zoning district, unless amended by MDP-2021-24230. The

minimum lot size shall be exclusive of any easements for Public Works or Community Services Department purposes.

- a. Prior to precise grade plan approval, all units shall be reviewed to comply with Master Development Plan 2021-2430.
17. The City is located within the Mt. Palomar Special Lighting Area, as defined in Section 16.18.110 of the Development Code, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cut off luminaries, shall be utilized.
18. All parking lot lights and other outdoor lighting shall be shown on electrical plans submitted to the Division of Building and Safety for plan check approval and shall comply with the requirements of Development Code Section 16.18.100-Lighting and 16.18.110-Mt Palomar Lighting Standards.
19. There shall be no offsite signage associated with this land division, except as otherwise provided by the City's Development Code Section 16.38. Violation of this condition of approval may result in no further permits of any type being issued for this subdivision until the unpermitted signage is removed.
20. Tentative Tract Map No. 34439 shall record within two (2) years from the date of the approval or it shall become null and void unless an extension of time is granted pursuant to City regulations.
21. This land division shall comply with the State of California Subdivision Map Act and to all requirements of the City's Development Code, unless modified by the conditions listed herein.
22. The effective City Council approval date of the original tentative map occurred on July 17, 2008 (30 days after adoption of Ordinance for master Development Plan). All determinations of whether the land division is eligible for an extension of time shall be based on this original approval date.
23. The permittee, or any successor-in-interest to the land divider, shall be responsible for maintenance and upkeep of all slopes, trail easements, landscaped areas and irrigation systems within the land division until such time as those operations are the responsibility of the individual home owners, a home owners association, or any other successor-in-interest.
24. The permittee shall comply and implement all mitigation measures identified in the mitigated negative declaration's mitigation monitoring and reporting program.

**Prior to issuance of grading permits:**

25. Construction of this project may be done progressively in phases provided a phasing plan is submitted (with appropriate fees) to the Planning Division and approved prior to issuance of any grading permits.
26. Parcels/lots that have a rear yard facing/abutting a City designated Arterial Street shall not be allowed to take any access onto such street.

27. All grading for proposed new dwellings and/or accessory buildings shall occur within the approved building pad sites as identified on the approved Tentative Map.
28. Prior to the issuance of grading permits, the project permittee shall comply with the provisions of any existing City ordinance that has been established as a mitigation measure for the Stephens' Kangaroo Rat. These ordinances may include fee schedules, mechanisms for protecting habitat, or a combination thereof.
29. Prior to issuance of grading permits, the Planning Department shall determine if the deposit based fees for the project are in a negative balance. If so, any outstanding fees shall be paid by the permittee/developer prior to issuance of grading permits.
30. Prior to grading permit issuance, the permittee shall submit an arborist report in accordance with Development Code Section 16.42. The report shall identify all trees that qualify for preservation/relocation with appropriate recommendations, including mitigation recommendations for replacement of qualified mature trees.
31. The project shall comply with the provisions pertaining to construction activity as stated in Section 16.30.130 of the City of Murrieta Municipal Code:
  - (a) The operation of tools or equipment used in construction, drilling, repair, alteration, or demolition work is prohibited between the weekday hours of 7 P.M. and 7 A.M., or at any time on Sundays or holidays.
  - (b) Construction activities must be conducted in a manner that the maximum noise levels at the affected structures would not exceed those listed in Table 3-6 of the noise ordinance.
  - (c) All mobile or stationary internal combustion engine powered equipment or machinery shall be equipped with suitable exhaust and air-intake silencers in proper working order.

**Prior to final map recordation:**

32. After approval of the Tentative Map and prior to the expiration of the map, the permittee shall cause the real property included within the Tentative Map, or any part thereof, to be surveyed and a Final Map be submitted to the Engineering Department for review and approval.
33. The Planning and Engineering Department's shall review any final map to ensure compliance with approved Tentative Map. All lot sizes and dimensions shall be in conformance with the development standards of Master Development Plan 2021-2430 and the Downtown Specific Plan.
34. An application for street naming shall be submitted to the Planning Department for review and approval (allow for a minimum of 30-days for review by city staff).
35. Permittee/Developer shall prepare a statement to be provided to the potential purchasers of each subdivided lot, and included in escrow for the sale thereof, indicating the General Plan and zone designations for all properties abutting the Map boundaries, with direction to contact the City of Murrieta with questions concerning potential uses of



undeveloped property and indicating that zoning may be subject to future change. The form of the letter shall be reviewed and approved by the City of Murrieta as a condition of Final Map approval.

36. The permittee shall, when applicable, provide a note on the final map or prepare an Environmental Constraints Sheet (ECS) to identify any issues of concern that need to be noted as affecting this map.
- a. The City is located within the Mt. Palomar Special Lighting Area, as defined in Section 16.18.110 of the Development Code, low pressure sodium vapor lighting or overhead high pressure sodium vapor lighting with shields or cut off luminaries, shall be utilized.
  - b. The project site is located within the City's Flood Hazard Zone area. A drainage report (dated March 23, 2007) and Flood Mitigation Study (dated July 26, 2006) is on file with the Planning Department for mitigation and grading requirements.
37. The subdivider/permittee shall submit the following documents to the City for review and approval by the City Attorney. A Homeowner's Association or Property Owners Association shall be established for maintenance of private streets/alleys, drainage, and other common areas. Prior to the sale of any lot, the Property Owner Association shall be dissolved and a Homeowner's Association shall be established for maintenance of private streets/alleys, drainage, and other common areas.

A declaration of covenants, conditions, and restrictions; and

A sample document conveying title to the purchaser of an individual lot or unit, which provides that, the CC&Rs are incorporated therein by reference.

The CC&Rs submitted for review shall (a) provide for a minimum term of 60 years, (b) provide for the establishment of a property owners association comprised of the owners of each individual lot or unit, (c) provide for ownership of the common area by either the property owners association or the owners of each individual lot or unit as tenants in common and (d) contain the following provisions verbatim:

- i. Notwithstanding any provision in this Declaration to the contrary, the following provision shall apply:
- ii. The property owners association shall have the right to assess the owners of each individual lot or unit for the reasonable cost of maintaining the private streets, and common areas, and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment.
- iii. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of the assessment or other document creating the assessment lien.
- iv. This declaration shall not be terminated or substantially amended without prior written consent of the Development Services Director of the City of Murrieta or the City's successor-in-interest.

- v. A proposed amendment shall be considered substantial if it affects the extent, usage or maintenance of the private streets, common areas, and drainage.
- vi. In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws or the property owners association Rules and Regulations, if any, this declaration shall control.
- vii. Third Party Beneficiary. All conditions, covenants and restrictions imposed by the City of Murrieta per TTM-2021-2428 and DP0-2021-2430 which are contained in these CC&Rs shall be covenants running with the land, and shall, in any event, and without regard to technical classification or designation, legal or otherwise, be, to the fullest extent permitted by law and equity, binding for the benefit and the favor of, and enforceable by the City of Murrieta, and its successors and assigns. Although the City of Murrieta shall be a beneficiary of these specific conditions, covenants and restrictions and shall have the right to enforce them, the City shall not be obligated hereunder to exercise such rights of enforcement

The CC&Rs shall provide a method for the maintenance of the common areas privately maintained slopes, and drainage course within the final map, and shall provide to the extent they are not adequately enforced as to the requirements in these conditions of approval the City shall have the right there upon to enforce them, at the cost of the owner(s). Once approved, the declaration of covenants, conditions and restrictions shall be recorded at the same time that the final map is recorded.

- 38. The CC&Rs shall address the following items:
  - a. The use of chemicals or bi-products, such as manure and landscaping fertilization overspray and runoff, that are potentially toxic or may adversely affect wildlife species, habitat, or water quality shall incorporate measures to ensure that application of such chemicals does not result in discharge to the MSHCP conservation area.
  - b. Incorporate the Master Development Plan setbacks.

**Project specific:**

- 39. The color of all street and trail furniture (benches, and trash receptacles), and street lighting shall be RAL6009, Tannengrun, Fir green, Vert sapin.
- 40. The design of the street furniture (benches and trash receptacles) shall be a craftsman's style (solduraproducts.com) and must match the style and model of the furniture at Town Square Park.
- 41. All street lighting and trail lighting shall be consistent with the attached lighting detail.
- 42. The Permittee/Owner shall provide a Cost Estimate prepared, signed, and stamped, by a registered architect. The cost estimate shall include all costs but not limited to plan preparation, plan check fees, permit fees, bonding, product costs, etc.
- 43. Security bonds, for the replacement costs as outlined in the final cost estimate(s), shall be in the form of a cash deposit, as approved by the City Planner.

**Prior to building permit issuance:**

44. If a model home complex is proposed, an application for a model home complex must be submitted in conformance with the City's submittal requirements for review and approval prior to grading permit issuance.
45. A clearance letter from the Waste Management District shall be provided to the City's Planning Division verifying acceptance of service.
46. The permittee/property owner, prior to any construction/development on a lot(s) shall post a notice on the site in a location accessible to the public. The notice shall include the contact information of whom to contact with the permittee/contractor and the City Of Murrieta. This shall be made available to the public to address concerns with construction activities related to the development of this project, including but not limited to: noise, dust control, construction traffic.
47. Prior to building permit issuance, evidence of a recorded final map shall be provided to the Planning Division.
48. Prior to building permit issuance, the permittee shall obtain approval for the project's addressing.
49. Roof gutters and downspouts are not permitted on the exterior of the building unless satisfactorily integrated into the architecture as determined by Planning Department review prior to building permit issuance.
50. All lighting fixtures shall be designed with shielding or cut-off fixtures to project in a downward manner to minimize glare and to not shine directly upon adjoining property or public rights-of-way. A detailed lighting study (photometric) shall be provided prior to building permit issuance to demonstrate compliance with this condition.
51. Address numbers shall be installed on the garage frontage for each unit.
52. A wall sconce light shall be located on each garage front capable of illuminating the address numbers.
53. Prior to building permit issuance, three (3) sets of a final fence and wall plan shall be submitted for review and approval. The plan shall address the following items:
  - a. Plan must be consistent with the conceptual fence and wall plan, subject to maintenance responsibilities.
  - b. The plans must include proposed design and location of all proposed fence and walls including along the project perimeter.
  - c. Identify/note anti-graffiti coatings on fences and walls, where applicable.
  - d. A wall/fence shall be constructed to prevent unauthorized access into the conservation area along the project frontage, subject to approval by the CSD, Engineering, and Planning Division.

**Prior to Final Inspection:**

54. Unless otherwise indicated, all conditions, mitigation measures and other requirements shall be fully constructed and implemented prior to final inspection of the building and/or site improvements.

If the project has been phased, all facilities (landscaping and irrigation) meant to serve the completed phase of development shall be installed in a usable condition prior to final Inspection.

## **LANDSCAPING**

### **Prior to the issuance of grading permits:**

55. Three printed copies and one digital copy of landscape construction plans shall be submitted to the Planning Division. A licensed Landscape Architect shall prepare the plans.
56. The landscape construction plans shall be in substantial conformance with the preliminary landscape plans as approved by the City's Landscape Architect, City Administrative Staff, Planning Commission and/or City Council. Notes, details, and specifications shall be included.
57. It is the responsibility of the landscape architect to be aware of and comply with the requirements and standards of Title 16.28 of the Murrieta Municipal Code, the City's current policies, and current State of California water efficient landscape requirements.
58. It is the responsibility of the applicant and owner's design team to be aware of and comply with the requirements of Title 16.42 Tree Preservation. The findings of the tree survey report and the proposed mitigation measures shall be noted and clearly illustrated on landscape construction drawings.
59. 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.
60. Mature specimen trees in thirty-six inch or forty-eight inch boxes shall be provided for large projects in sufficient quantity to provide variety and emphasis at main focal areas. Quantity and locations are subject to the review and approval of the director.
61. One street tree, and two yard trees are illustrate as required for each lot. Wherever the ADU is setback at least 10' from rear drive aisle, move one of the required yard trees to this "alley" location. Specify a narrow canopy or small stature tree where planter area is limited.
62. Fire apparatus access roads shall be illustrated and noted on planting plan. Trees are to be located so that the mature canopies do not encroach into the access road clear zone of 28 feet wide and 13.5 feet high. Reposition any tree in conflict with this restriction.
63. Perimeter landscape design shall coordinate with surrounding properties. Select street trees to match adjacent existing or approved species. Shrub and ground cover selections are to match or compliment adjacent developments.

64. Provide enhanced corner planting using specimen trees and accent shrubs that do not conflict with vehicular line of sight. Limit shrubs to a maximum of 30" natural height.
65. Avoid plants that require cutting back to keep them within a specific area or at a trimmed height. Carefully select and locate plants where they will be allowed to grow to maturity and keep their natural shape.
66. Plant materials within vehicular line of sight impact areas are to be limited to a maximum of 30" natural height. Impact areas include but are not limited to project entries, drive aisles, and parking lot island planters.
67. Slopes shall be landscaped, at a minimum, according to City's Slope Landscaping, Requirements for Subdivision Tract and Commercial Slopes document. Refer to City's website under Planning Division, Applications and Forms, Landscape Handouts.
68. Planting design and materials utilized within biofiltration or detention basin areas shall be suitable for both dry and wet conditions and provide slope stabilization where necessary. Planting design and materials are subject to the review and approval of the City's Landscape Architect.
69. Bio-barrier root control devices shall be installed for all trees located within City right-of-way and for all trees within 10' feet of the right-of-way and city sidewalks. A minimum length of 20' is required at each location.
70. Above ground utilities shall be located in shrub areas and screened as required from public view. Fire equipment shall have a setback of 10 feet, or as otherwise permitted, where only low growing ground covers shall be planted.
71. Utilities and light standard locations shall be coordinated with Owner's engineering team to avoid conflicts with required tree locations and utility screening.

**Prior to issuance of a Building Permit:**

72. The landscape plans shall be approved by the City's Landscape Architect and Assigned Planner.

**Prior to the initiation of landscape construction:**

73. Contact City's Assigned Planner or Landscape Architect to determine if a pre-job meeting with the job site superintendent and the landscape contractor will be required. No landscaping shall occur prior to the meeting or the City's determination that it will not be required.

**Prior to the issuance of occupancy permits:**

74. All required landscaping and irrigation systems shall be installed in a condition acceptable to the City. The owner's Landscape Architect shall provide inspections throughout the landscape installation process. The owner shall provide the City's Assigned Planner with a Landscape Certificate of Completion documentation package at the time of final inspection request. The City will review the Certificate of Completion and conduct a final

inspection to ensure that the landscape installation is in compliance with all City policies, practices and the approved landscape plans. The Certificate of Completion shall be complete with an irrigation water audit, irrigation schedules, landscape maintenance schedules, and soil management report.

75. Performance securities, in the amount determined by the City to guarantee the adequate maintenance of the landscaping materials and irrigation system in accordance with the approved plans for a period of one (1) year from the date of final clearance of the installed landscaping by the City, shall be posted with the Planning Department. Acceptable forms of security shall be limited to cash deposit, cash bonds, or irrevocable letters of credit. The performance securities may be released one (1) year after final clearance of the installed landscaping by the City, upon written request by the owner, if the landscaping has been adequately maintained. A deposit to cover re-inspection of the landscape, at the current City rate shall be posted with the Planning Division prior to re-inspection for maintenance bond release.

## **ENGINEERING DEPARTMENT**

72. All items required to be submitted shall be, at a minimum, in electronic format (e.g., PDF, Word). Hard copies may also be required.
73. All conditions as approved shall be completed by the Permittee/Owner at no cost to the City, unless specified otherwise.
74. Prior to any permit issuance, all relevant plans and reports shall be prepared in accordance with the Murrieta Municipal Code, reviewed, all applicable fees paid, and approved by the City Engineer.
75. As part of the initial submittal of plans, reports, etc., for any grading permit or any other grant of approval, the Permittee/Owner shall submit the approved discretionary plans and reports (e.g., Tentative Map, Preliminary Grading Plan, Preliminary Water Quality Management Plan, Preliminary Hydrology Study, etc.) that were approved as part of the Discretionary Review Process, in addition to all applicable onsite and offsite plans, reports, reference documents, and/or document(s) deemed relevant for the issuance of a permit.
76. Prior to 1st submittal of building plans, the Permittee/Owner shall execute initial submittal of engineering plans/reports (e.g., grading plans, improvement plans, stormwater reports, soils reports, as applicable), submittal shall have been deemed a complete submittal, with first round of plan check comments provided, and revisions made onto the 2<sup>nd</sup> submittal of engineering plans/reports. Then, the 1<sup>st</sup> submittal of building plans shall coincide with the revised 2<sup>nd</sup> submittal of the engineering plans.
77. Grading plans' 1<sup>st</sup> submittal, with building pad location and elevation information, shall be submitted prior to, or concurrently with, building plans' 1<sup>st</sup> submittal. However, building plans' 1<sup>st</sup> submittal shall not be submitted prior to grading plans' 1<sup>st</sup> submittal. Moreover, building plans' 2<sup>nd</sup> submittal, and subsequent submittals, shall coincide with grading plans' revised 2<sup>nd</sup> submittal, and revised subsequent submittals, respectively.
78. Prior to the issuance of any occupancy permit, all conditions set forth in these Conditions

of Approval shall be completed and accepted/as-built.

79. In addition to any applicable permit issuance, an Encroachment Permit shall also be obtained from the Engineering Department prior to commencement of any construction within City right-of-way or public jurisdiction easements.
80. If applicable, an Encroachment Permit shall be obtained from CalTrans, Riverside County Flood Control and Water Conservation District, FEMA, Army Corp of Engineers, etc. prior to commencement of any construction within their right-of-way. Proof of permit issuance, or verification of acknowledgement with no permit issuance requirement, shall be submitted prior to city-issued permit issuance affecting said easement(s). Additionally, said approvals/acknowledgements shall be identified on the subject grading and/or improvement plans, as applicable.
81. The Permittee/Owner shall submit a current hyperlinked Preliminary Title Report with active connectivity to all referenced recorded documents identified within the Preliminary Title Report.
82. It is understood that the Tentative Map correctly shows all existing and proposed easements, travel ways, grading, drainage courses, etc., and that any omission may require the resubmittal of documents and/or plans associated with this application for additional consideration.
83. The Permittee/Owner shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, actions, or proceedings against the City or its agents, officers, or employees, to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning any approvals. The City will promptly notify the Permittee/Owner of any such claim, action, or proceeding against the City and will cooperate fully in the defense.
84. All Engineering Plans (e.g., Improvement Plans, Grading Plans) shall be coordinated for consistency with adjacent projects and existing improvements contiguous to the site and shall be submitted on standard 24" x 36" City-formatted bond sheets. The Permittee/Owner shall review all plan check comments, make certain their consultants address all comments in each subsequent submittal, and return all plan check comments with each subsequent submittal. Failure to do so may result in additional plan check fees due to additional review time.
85. The Permittee/Owner shall comply with all current and applicable requirements set forth in the City of Murrieta's Municipal Code, Development Code, Standard Drawings, Ordinances, Policies, and Resolutions, along with all applicable State (e.g., State Water Resources Control Board) and Federal regulations, whether or not such provisions or requirements have been specifically set forth in these conditions, all of which are now incorporated herein by reference, and fully set forth at this point.
86. Prior to approval of any plans, reports, or legal documents and/or permit issuance, the Permittee/Owner shall pay all outstanding plan check and processing fees.
87. Security bonds, for a portion of the construction costs as outlined in the final cost estimate(s), shall be in the form of a cash deposit, as approved by the City Engineer.

**PRIOR TO ISSUANCE OF ANY PERMIT, THE PERMITTEE/OWNER SHALL COMPLETE THE FOLLOWING**

**Offsite Property/Easement Acquisitions**

88. Prior to any permit issuance, the Permittee/Owner shall coordinate with adjacent property owners affected by proposed onsite and/or offsite improvements. The Permittee/Owner shall be solely responsible for acquisition of any necessary easements, agreements, etc. prior to plan approval. All easements, agreements, etc. shall be notarized and recorded in a format acceptable to the City Engineer.
89. Agreements and/or easements shall designate maintenance responsibilities conforming to those associated/identified on the approved Tentative Map. The agreements and/or easements shall also address uninterrupted access and utility services to affected existing properties during construction and show the recording information (instrument number and date) on the appropriate plan(s).
90. Upon property/easement acquisition, the Permittee/Owner shall complete the improvements as approved by the City.

**Street Improvement Plans**

91. The Permittee/Owner shall provide the following items, but may be required to provide additional items to substantiate the proposed design:
  - A. A Street Improvement Plan prepared by a registered Civil Engineer in accordance with City standards, Caltrans standards, and MUTCD requirements, with all improvements subject to the approval of the City Engineer.
    - i) The Street Improvement Plan shall include within it the following:
      - (1) Signing and Striping plan, designed by a registered Civil Engineer and included with the street improvement plans for the project.
      - (2) Storm Drain Improvement Plans prepared by a registered Civil Engineer and included with the street improvement plans for the project.
    - ii) Street structural section(s) shall be based on the Soils Engineer recommendation or City Std. 120, whichever is greater.
  - B. A Cost Estimate prepared, signed, and stamped by a registered civil engineer. The cost estimate shall include all costs but not limited to plan preparation, plan check fees, permit fees, bonding, staking, construction costs, stormwater best management practices, erosion control, soils engineering; construction management, etc.
92. Subject to the discretion of, and final approval by, the City Council, the City shall vacate/abandon a portion of the following street's right-of-way.
  - A. Old Clay Street



B. Juniper Street

C. C Street

D. D Street

E. 5th Street

F. If the vacation/abandonment is unsuccessful, Permittee/Owner shall submit revised plans for substantial conformance review as required by the City of Murrieta Development Code.

93. The centerline profile may be required to extend beyond the project boundaries showing grade, alignment, and/or striping, depending on the proposed design and existing conditions, to the satisfaction of the City Engineer.
94. All street improvements shall be designed to provide adequate right-of-way and transitions to existing improvements.
95. If applicable, the Permittee/Owner shall provide a design to [re]construct handicap access ramps within the public right-of-way along the project's frontage, and adjacent to the project, to current ADA requirements, this includes across the street or driveway that are accessible to the frontage handicap access ramps.
96. Improvement plans shall show all existing and proposed drainage and stormwater facilities, including surface and subsurface construction. All required drainage easements shall be monumented along the boundaries as approved by the City Engineer.
97. City-maintained drainage facilities located outside of city right-of-way shall be accompanied with proper public drainage easements to be reviewed and approved by the City and recorded on a city-approved format.
- a. All storm drain easement widths shall adhere to Riverside County's storm drain easement width chart and have a max cross slope of 5%. unless approved otherwise by the City Engineer.
98. The parkway cross slope in the public right-of-way shall be two percent, unless otherwise approved by the City Engineer.
99. The Permittee/Owner shall design, for the guarantee of construction, the following public improvements to the current City of Murrieta Circulation Element and corresponding City standards. Improvements may include, but are not limited to: paving, redwood header, curb and gutter; sidewalk; street lights; drainage facilities; water quality best management practices; signing and striping; utilities, including but not limited to, water and sewer; landscaping; with all improvements subject to the approval of the City Engineer.
- A. Design New Clay St frontage to be improved to a half width of 50 feet centerline to right-of-way, per the Downtown Specific Plan.
- i) The required improvements shall include, opposite centerline, a minimum of 12 feet A.C. paved surface and 8 feet graded shoulder.
- ii) The required improvements shall include, and clearly show, connectivity to

existing improvements.

iii) The required improvements shall include connectivity to improvements existing opposite legal centerline.

iv) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.

v) The frontage shall ensure a design for (or repair/replace) ADA compliant sidewalk and pedestrian ramps (truncated domes).

(1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, per city standard drawings, to the satisfaction of the City Engineer.

vi) As applicable, callout right-of-way dedication/vacation along the frontage to provide the requested right-of-way for the required improvements.

(1) Transition striping from the proposed frontage may be required to commence at the project boundary and extend offsite to the satisfaction of the City Engineer.

vii) Due to proposed improvements and striping, the Permittee/Owner shall identify the limits of a reslurry, to the satisfaction of the City Engineer.

viii) Due to proposed improvements, a note shall be added on the plans indicating "reslurry/resurface of existing roadway may be required during construction at the discretion of the City's Construction Inspector and may be subject to review/approval by the City Engineer.

B. Design B St frontage to be improved to a half width of 40 feet centerline to right-of-way, per the Downtown Specific Plan.

i) The required improvements shall include, opposite centerline, a minimum of 12 feet A.C. paved surface and 8 feet graded shoulder.

ii) The required improvements shall include, and clearly show, connectivity to existing improvements.

iii) The required improvements shall include connectivity to improvements existing opposite legal centerline.

iv) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.

v) The frontage shall ensure a design for (or repair/replace, if applicable) ADA compliant sidewalk and pedestrian ramps (truncated domes).

(1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, per city standard drawings, to the satisfaction of the City Engineer.

vi) As applicable, callout right-of-way dedication/vacation along the frontage to provide the requested right-of-way for the required improvements.

- (1) Transition striping from the proposed frontage may be required to commence at the project boundary and extend offsite to the satisfaction of the City Engineer.
- vii) Due to proposed improvements and striping, the Permittee/Owner shall identify the limits of a reslurry, to the satisfaction of the City Engineer.
- C. Design all interior streets to be improved to a half width of 60 feet centerline to right-of-way, per Local Street, City Standard Drawing 106.
- i) The required improvements shall include, and clearly show, connectivity to existing improvements.
- ii) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.
- iii) The frontage shall ensure a design for ADA compliant sidewalk and pedestrian ramps (truncated domes).
- (1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, to the satisfaction of the City Engineer.
- iv) As applicable, callout right-of-way dedication/vacation along the frontage to provide the requested right-of-way for the required improvements.
- (1) Transition striping from the proposed frontage may be required to commence at the project boundary and extend offsite to the satisfaction of the City Engineer.
100. Due to proposed improvements, a note shall be added on the plans indicating "reslurry/resurface of existing roadway may be required during construction at the discretion of the City's Construction Inspector and may be subject to review/approval by the City Engineer.
101. Proper right-of-way shall be dedicated at the following corners. The ultimate right-of-way shall be chamfered between both frontage roads. Each end point being at the road frontage's right-of-way line, perpendicular to the point of ultimate curb return.
- A. New Clay St. & B St.  
B. B St. & 4<sup>th</sup> St.  
C. New Clay St. & 4<sup>th</sup> St.  
D. 4<sup>th</sup> St. & Juniper St.
102. Driveways and Site Access shall conform to Development Code 16.34.080.
103. Corner property line cut off for vehicular sight distance and installation of pedestrian and traffic control facilities shall be provided at all street intersections and entrances in accordance with City Standards. The line of sight shall be shown on all grading, street improvement, and landscape plans in accordance with Std. 214. Signs are not allowed within the Limited Use Area.
104. The exact depth of street structural section and subgrade requirement shall be based on

subgrade "R" value tests and the appropriate Traffic Index for the type of street, as determined by the Geotechnical Engineer, along with City Standard 120, whichever is greater.

105. Existing street pavement along the project's frontage(s), shall be core tested to determine if the existing structural section meets current City Standards. Core testing shall be taken by a qualified engineer at locations approved by the Director of Public Works. Substandard sections shall be reconstructed or overlaid. The Director of Public Works shall have the final approval for all street conditions and the limits of the pavement reconstruction and/or resurfacing. Core testing may be done prior to grading permit issuance to identify the limits of reconstruction, if applicable, and shown on the improvement plans. At the discretion of the Permittee/Owner, core testing may be deferred to after permit issuance (e.g., during construction) but is subject to unforeseen conditions which may delay construction.
106. The exact alignment, width and design of all turning lanes, travel lanes, driveways, striping, and all other traffic control devices and measures, including turnouts, bike lanes, and width transitions, shall be approved by the City Engineer.
107. All cul-de-sac bulbs and knuckles shall be designed per the City of Murrieta's Standard Drawings 201, 202, and 203.
108. A light emitting diode for the street lighting system shall be shown on the street improvement plans and shall be installed at locations specified by the City Engineer at no cost to the public. All installations shall be compliant with the City's Downtown Murrieta Specific Plan.
109. If the project is to be phased, the Permittee/Owner shall submit detailed plans describing activities for the entire phase(s). A Phasing Plan shall be reviewed and approved by the City Engineer and Planning Division Director. The plans shall address, in detail, the following, but not limited to, items:
  - A. Demonstrate that, all conditions of prior phase have been satisfactorily completed or addressed per phase.
  - B. The Permittee/Owner shall implement the requirements of the current General Construction Permit at all times to prevent discharge from the site for all phases of construction (e.g., demolition, grading, vertical construction, landscape/hardscape). Sediment and erosion controls shall be appropriately applied for the risk level assigned to the project.
  - C. Submit a landscape plan to the Planning Division that addresses both short term and long term slope stability and dust control including all temporary and permanent buildable pads. This plan shall also include all required BMP's and storm water design features.
  - D. Should the Permittee/Owner decide to develop phases out of numerical sequence with the approved phasing as shown on the plan, all conditions required of the proceeding phases shall be completed unless otherwise approved by the City Engineer and the Director of Planning. Other conditions may be imposed by the City Engineer and Planning Division Director to allow phased construction.
  - E. The Water Quality Improvement Plans (WQIP), approved as part of the grading

plans, shall address the Best Management Practices (BMP's) to be utilized for each phase of development. The WQIP shall include an overview of project phasing that shows each project phase, prior to activation of the area for use in accordance with Order R9-2013-0001, that 100% of the impervious area for that phase will be treated and retained to meet water quality and hydro-modification requirements.

110. All existing street monuments within or abutting this project site shall be preserved. If such monuments are damaged or destroyed, the Permittee/Owner shall retain a licensed land surveyor or a qualified registered civil engineer to reset those monuments per City Standards 617a, 617b, and 617c, and file the necessary information with the County Recorder's office as required by California Business and Professions Code Section 8771. If damaged, existing monuments that are no longer relevant do not have to be replaced, subject to approval by the City Engineer.
111. If constructing a new street or new intersection, the Permittee/Owner shall provide a design with callouts for street centerline monuments to be set per City Std. 617a, 617b, and 617c. All elevation locations for street centerline(s) shall be provided.
112. If reconstructing an existing street or existing intersection, the Permittee/Owner shall provide a design with callouts for street centerline monuments to be set per City Std. 617a, 617b, and 617c, and elevations provided, unless specified otherwise by the City Engineer, or assignees.
113. Centerline tie notes may be provided, when applicable as noted on City Std. 616, on 8.5 x 11 mylar sheets (identify locations if possible). Prior to installation, each location where tie notes may apply shall be reviewed and approved by the City Engineer, or assignees, to determine monument type to be used.

### **Grading Plans**

114. The Permittee/Owner shall provide the following items, but may be required to provide additional items to substantiate the proposed design:
  - A. A Grading Plan prepared by a registered Civil Engineer in accordance with currently accepted design standards. The plan shall incorporate Grading Information, Erosion & Sediment Control Measures, Mitigation Measures as applicable, and Site Design & Source Control (Low Impact Development (LID)), as well as Pollutant Control and Hydromodification as applicable.
    - i) The Grading Plan shall include within it the following:
      - (1) A Water Quality Improvement Plan prepared by a registered Civil Engineer in accordance with City standards and approved by the Engineering Department.
      - (2) A Storm Drain Improvement Plan prepared by a registered Civil Engineer in accordance with City standards and approved by the Engineering Department.
      - (3) An Erosion Control Plan prepared by a registered Civil Engineer in accordance with City standards and approved by the Engineering Department.
    - B. A Cost Estimate prepared, signed, and stamped, by a registered civil engineer.

The cost estimate shall include all costs but not limited to plan preparation, plan check fees, permit fees, bonding, staking, construction costs, erosion control, soils engineering; construction management, etc.

115. Pay to City all County of Riverside Development Impact Fees applicable at time of grading permit issuance or as otherwise approved by ordinance. In the event these fees have been previously paid, the Permittee/Owner shall provide proof of payment. Said fees may include, but are also not limited to, the following:
  - a. Riverside County Area Drainage Fee
  - b. Kangaroo Rat Fee
  - c. Multiple Species Habitat Conversation Plan (MSHCP) Fee
116. Obtain written clearance, as deemed necessary by the Engineering Department, from the following departments/agencies:
  - a. Planning Department
  - b. Community Services Department
  - c. Building Division
  - d. Fire Department
  - e. Landscape (Planning)
  - f. Sewer and Water District(s)
  - g. Utility Companies
  - h. Gas Company
117. If applicable, the Permittee/Owner shall obtain and provide the City with written clearance or a non-interference letter from Southern California Edison (SCE) prior to grading plan approval. Permittee/Owner shall submit directly to SCE.
118. Development Standards for Off-Street Parking shall conform to Development Code 16.34.070.
119. If blasting of rock is required, a blasting permit will be required as part of the grading permit process. A blasting permit shall be obtained through the Riverside County Sheriff's Department. Notification shall also be provided to the City of Murrieta Police and Fire Departments prior to blasting.
120. If any water wells are found onsite, the intent shall be identified on the grading plan (e.g., if inoperable...to be abandoned; if operable...to be protected in place, etc.). If to be protected in place, easements may apply. Additionally, if to be abandoned, they shall be abandoned in a manner approved by the State Department of Water Resources and Riverside County Health Department. Confirmation of abandonment approval shall be provided to the City.
121. If applicable, a qualified biologist shall delineate jurisdiction areas that are not to be disturbed. Identify the installation of some type of barrier fence to delineate the areas of avoidance.
122. Construction fencing shall be placed so as not to interfere with sight distance and comply with City Std. No. 214.

123. City-maintained drainage facilities located outside of city right-of-way shall be accompanied with proper public drainage easements to be reviewed and approved by the City, and recorded on a city-approved format.
- a. All storm drain easement widths shall adhere to Riverside County's storm drain easement width chart and have a max cross slope of 5%, unless approved otherwise by the City Engineer.
124. Subject to the discretion of, and final approval by, the City Council, the City shall vacate/abandon a portion of the following street's right-of-way.
- A. Old Clay Street
- B. Juniper Street
- C. C Street
- D. D Street
- E. 5th Street
- F. If the vacation/abandonment is unsuccessful, Permittee/Owner shall submit revised plans for substantial conformance review as required by the City of Murrieta Development Code.
125. All existing property monuments within or abutting this project site shall be preserved. If such monuments are damaged or destroyed, the Permittee/Owner shall retain a licensed land surveyor or a qualified registered civil engineer to reset those monuments per City Standards and file the necessary information with the County Recorder's office as required by California Business and Professions Code Section 8771. If damaged, existing monuments that are no longer relevant do not have to be replaced, subject to approval by the City Engineer.

#### **Sewer & Water**

126. Verify capacity of proposed sewer and water systems and provide approval from the Health Department or the governing Sewer and Water District that the proposed sewer and water system is compliant with the District's master plan.
127. The Permittee/Owner shall design and guarantee the construction of all sewer and water improvements necessary to serve this project. Private sewer force mains are not allowed in the public right-of-way unless otherwise approved by the City Engineer.

#### **Utilities**

128. The Permittee/Owner shall provide a design to install all existing and proposed utility systems underground. Utility systems include, but may not be limited to, electric lines 32kv and lower, telephone, and cable TV. The utilities shall be designed in accordance with City Codes and utility provider(s).
- a. All applicable appurtenances shall also be coordinated with the building department and engineering department for review of proposed locations. Easements shall also be provided as required.
- b. If there are any electric lines 33kv and higher, those existing lines will not be

required to be placed underground.

129. Above-ground Edison transformers shall be located behind the right-of-way line. If necessary, retaining walls shall also be located behind the right-of-way and limited to maximum five feet in height. Safety railing is required for retaining wall heights above thirty inches.
130. Permittee/Owner shall provide a design identifying location of all dry and wet utilities.
  - a. All dry and wet utilities shall be installed prior to placement of final cap or lift of asphalt pavement to avoid new street improvement from being marred by saw cuts, pot holes, equipment, etc.

### **Hydrology & Hydraulics Report**

131. The Permittee/Owner shall provide a Hydrology & Hydraulics Reports prepared by a registered Civil Engineer in accordance with currently accepted design standards.
132. Ensure the Report addresses any proposed commingled flows from adjacent properties, unless procedures are incorporated to otherwise convey and properly dispose of the flows without commingling.
133. Alteration to the existing drainage pattern, including concentration or diversion of flows, are not allowed, unless the Permittee/Owner obtains permission and/or agreements from the affected property owner(s). This may involve, but is not limited to, obtaining notarized/recorded letters of permission and/or agreements, securing drainage easements and/or ponding easements, constructing adequate drainage improvements, and providing a maintenance mechanism for private drainage facilities.
134. The Permittee/Owner shall be responsible for mitigating impacts created by changes in drainage runoff course, water quality, hydro-modification, concentration, or quantity to the satisfaction of the City Engineer for both on-site and off-site drainage.
135. Accept and properly dispose of all offsite drainage flowing onto and/or through the site.
136. If possible, all drainage shall be conveyed onto public property. Cross lot drainage shall not be allowed. Where unavoidable, proper permissions, agreements, and easements shall be obtained by the Permittee/Owner.
137. The report shall show all existing and proposed onsite and/or offsite public and/or private drainage facilities intended to discharge the runoff. The study shall include a capacity analysis verifying the adequacy of the drainage facilities. Runoff from the development or partial phase of development of the property shall meet the following criteria:
  - a. Permittee/Owner shall be responsible for mitigating impacts created to changes in drainage runoff course or quantity, for both on-site and off-site drainage, to the satisfaction of the City Engineer.
  - b. Do not significantly exceed the existing natural discharge quantities.
  - c. Street storm flows shall not exceed top of curb for the 10-year storm event.



- d. Must contain storm flows within the street right-of-way for the 100-year event.
  - e. All inlets, outlets, pipes, channels, basins, etc. must be capable of conveying the 100-year storm.
  - f. Sump conditions shall be designed to convey the 100-year storm flows
  - g. Secondary emergency escape path shall be provided.
  - h. If the project discharges/connects to an off-site detention basin, provide permission to drain/connect from the owner of basin or system. Off-site detention basins require a Declaration of Dedication. All detention measures shall have positive drainage with a minimum 48-hr draw-down time and be empty within 72 hours.
  - i. Standing water is not permitted.
  - j. Detention for projects that are 10 acres or greater shall analyze for the 1, 3, 6 and 24-hour duration for the 2, 5, and 10-year frequency storms.
- (1) When continuous simulation is prepared (see Water Quality Management Plan section), and acceptable, the continuous simulation may be used in-lieu of the 1, 3, 6 and 24-hour duration for the 2, 5, and 10-year frequency storms, if applicable.

### **Geotechnical Report**

138. A comprehensive geotechnical report shall be prepared by a registered Geotechnical Engineer and submitted to the engineering department as part of the initial grading plan check.
- a. The report shall address in-situ soils conditions; shall provide the following, but not be limited to:
    - i) a percolation/infiltration analysis;
    - ii) identify any geotechnical hazards for the site;
    - iii) provide recommendations for the construction of engineered structures,
    - iv) provide preliminary pavement sections,
    - v) provide slope stability analysis,
    - vi) identify faults that may affect the proposed project and confirm buildings meet setback requirements, as applicable.
  - b. All recommended measures identified in the report shall be incorporated into the project design. If located in a Geologic Special Study Zone, the report may, at the discretion of the City Engineer, be subject to a third-party review. If third party review is required, the Permittee/Owner must submit an application and schedule to have any open trenches inspected by a City-approved third-party reviewing consultant.
139. If project is determined to be a "Priority Development Project", a geotechnical engineer, civil engineer, certified engineering geologist or certified hydrogeologist shall prepare a percolation analysis and determine infiltration rates for the purpose of determining water quality best management practices (i.e., Water Quality Management Plan).

- a. See Appendix A, Section 1.8 – Final Report, of the Riverside County Low Impact Development BMP Design Handbook, as a guide for preparing the analysis.
- b. Infiltration testing requirements shall adhere to Appendix A – Infiltration Testing, of the Riverside County Low Impact Development BMP Design Handbook (e.g. Table 1 Infiltration Testing Requirements).
- c. A note shall be added on the grading plan identifying the infiltration rates used in the WQMP. If BMP locations differ, laterally and/or vertically, from the WQMP, additional infiltration tests may be required to be conducted and submitted for review and approval by the City.

#### **Water Quality Management Plan (WQMP)**

140. The Permittee/Owner shall provide a Water Quality Management Plan (Report) prepared by a registered Civil Engineer in accordance with currently accepted design standards.
141. Water Quality Improvement Plans (WQIP) shall be integrated with the grading plans and included as part of the grading plans. Prior to final approval of the grading plans, the grading plans shall be in conformance with the Project-Specific WQMP.
142. A Final Project-Specific WQMP shall be submitted to the City for approval with the grading plan check application and approved by the Engineering Department prior to issuance of a grading permit. The WQMP shall include, but not be limited to, the following:
  - a. The Permittee/Owner, assigns, or heirs shall allow the City to enter the premises to conduct periodic inspections to ensure that the WQMP is being implemented, maintained, and to review the inspection and maintenance records.
  - b. Prepare a hydromodification analysis utilizing continuous simulation of the geomorphically significant flows starting at 10% of the 2-year runoff and up to the 10-year runoff (85<sup>th</sup> percentile Design Capture Volume (DCV)). The analysis must have a maximum interval of 1-hour, or 15-minutes, and contain a minimum of 37 years of data.
  - c. The 85<sup>th</sup> percentile DCV of on-site drainage shall be treated on site in accordance with the current NPDES MS4 Permit and the City's latest Water Quality Management Plan. The drainage shall be treated onsite prior to entering public right-of-way.
  - d. When continuous simulation is prepared, and acceptable, the continuous simulation may be used in-lieu of the 1, 3, 6 and 24-hour duration for the 2, 5, and 10-year frequency storms, if applicable.
  - e. The WQMP shall incorporate, but not be limited to, the following:
    - (1) Site design BMP's,
    - (2) Source control BMP's,
    - (3) Pollutant control BMP's,
    - (4) Hydromodification

- (5) The WQMP shall identify affected and 303(d) receiving water bodies, applicable water-quality objectives, total maximum daily loads (TMDLS), pollutants of concern for the project type, and estimates for post-construction discharge rates (with all BMPs in place), and demonstrate that the project pollutant loads will be treated in accordance with the most current NPDES MS4 permit and will not cause a violation of the water quality objectives. The structural treatment and hydro-modification controls shall remove project pollutants anticipated to be generated by the project for the benefit of downstream impaired water bodies listed by the SWRCB 303(d) to a medium removal efficiency or better for the pollutants of concern.
- (6) Long term operation and maintenance requirements, inspection and maintenance checklist;
- (7) Record a restrictive covenant to ensure operation, maintenance, funding, and transfer of requirements.
- (8) The post-construction best management practices (BMPs) outlined in the approved Final project-specific WQMP shall be incorporated in the grading/improvement plans.
- f. A Water Quality Maintenance Agreement shall be recorded with the County Recorder and proof of the recordation shall be provided to the City. The agreement shall include summaries of water quality/hydromodification facilities and operations & maintenance.
- i) The Maintenance Agreement shall identify public BMPs to be maintained by the development's assigned entity.
- ii) The agreement shall also identify if the development's assigned entity fails to maintain said BMP(s) the City is authorized to maintain or replace BMP(s) for continued compliance and shall be reimbursed by the assigned entity.
- g. A copy of the Final Project-Specific WQMP shall be kept onsite at all times. The Permittee/Owner shall make the occupants, tenants, staff, employees, and contractors aware of this document and educate them on the contents.
143. The project shall demonstrate infiltration abilities by converting the percolation tests taken at locations of proposed infiltration/biofiltration BMPs. Proposed BMPs shall be per the guidelines of the City of Murrieta's 2018 Santa Margarita Region Water Quality Management Plan and the most current order under the National Pollutant Discharge Elimination System (NPDES) Permit initiated under section 2 of the Federal Clean Water Act. The most current order shall be incorporated, as applicable.
144. The grading plan shall add a note to confirm the infiltration rates coincide with the rates used in the Water Quality Management Plan. If BMPs are to be placed in areas and/or depths different from the original infiltration testing, thereby posing potentially different infiltration rates from those originally obtained, new infiltration testing may be required and BMP designs may be impacted.
145. It is the responsibility of the Permittee/Owner to ensure all applicable BMPs are correctly utilized as referenced in the California Stormwater Quality Association (CASQA) BMP Fact Sheet, and all maintenance measures implemented.
146. "As a residential area development, the Permittee/Owner shall ensure that minimum residential BMPs are being implemented. Such BMPs should address, at minimum:

- a. automobile repair,
  - b. maintenance and washing and parking;
  - c. home and garden care activities and product use (pesticides, herbicides and fertilizers);
  - d. disposal of trash, pet waste, green waste, and household hazardous waste.
  - e. The Permittee/Owner shall reference the following brochures and California Stormwater Quality Association (CASQA) BMP Fact Sheets:
  - f. Brochures:
    - g. Automotive Maintenance and Car Care Brochure
    - h. Landscape and Garden
    - i. 10 Ways to Save Water Outdoors
    - j. After the Storm
    - k. What's the Scoop
    - l. Landscape and Garden
    - m. Pools, Spas and Fountains,
  - n. CASQA BMP Fact Sheets:
    - o. SC-20 – Vehicle and Equipment Fueling
    - p. SC 21 – Vehicle and Equipment Cleaning
    - q. SC 22 – Vehicle and Equipment Repair
    - r. SC 43 – Parking / Storage Area Maintenance
    - s. SC 73 – Landscape Maintenance
    - t. SD 10 – Site Design and Landscape Planning
    - u. SD 12 – Efficient Irrigation
147. Provide 12 foot wide x 6 inch thick concrete paved access to storm drain facilities with 12 percent maximum grade. Turnarounds are required, but may be waived depending on overall accessibility and, at the discretion of the Public Works Director.
148. The Permittee/Owner shall submit, for City review and approval, a mechanism ensuring ongoing long-term maintenance for the onsite post-construction Best Management Practices (BMPs).
149. "The Project shall form or annex into a landscape and light maintenance district, or create some other acceptable mechanism to fund and/or maintain the proposed water quality BMPs within public roadways.

#### **SWPPP**

150. An adequate Storm Water Pollution Plan (SWPPP) shall be available to State and City Inspectors at the job site prior to commencing construction. The Permittee/Owner shall be responsible for implementation, monitoring, operation and maintenance of the SWPPP until all construction is completed and improvements have been accepted by the City.
151. This document must minimize the disturbed area, label the total disturbed area, and identify equipment and material storage areas.
152. All grading activities shall minimize dust through compliance with AQMD Rule 403, which requires watering during earth moving operations.

153. All open or undeveloped land shall be maintained to prevent wind/water erosion of said land. All disturbed undeveloped land shall be planted with interim landscaping or stabilized with other erosion control measures.
154. The Permittee/Owner shall design and install the irrigation system so runoff does not discharge into the street or storm drain system.
155. Grading during the wet season should identify additional BMP's for rain events that may occur as necessary for compliance with the Santa Margarita Region MS4 Permit.
156. A copy of the Notice of Intent (NOI) and Waste Discharge Identification (WDID) number from the State Water Resources Control Board shall be identified on the SWPPP.
157. A Notice of Termination (NOT) can then be filed with the State Water Resources Control Board. Grading during the wet season should identify additional BMP's for rain events that may occur as necessary for compliance with the Santa Margarita Region MS4 Permit. This document must minimize the disturbed area, label the maximum disturbed area, and identify equipment and material storage areas.
158. Erosion and sediment control details shall be submitted on the grading plans to the City's Engineering Division for review and approval. The details shall conform to City standards, codes and ordinances, and the current State Water Resources Control Board (SWRCB) General Construction Permit (GCP), as applicable. The details shall include landscaping and irrigation systems on exposed slopes to achieve the General Construction Permit required coverage criteria, and for acceptance by the City's Engineering Department.

## **FEMA**

159. FEMA Elevation Certificate(s) shall be provided for all lots within one hundred feet of the 100-year flood plain concurrently with each pad certification.
160. If any portion of the site resides within, adjacent to, or within 100 feet of a FEMA special flood hazard area, the following items shall apply:
  - a. The floodway and floodplain boundary lines shall be clearly depicted on the Grading Plan.
  - b. The grading plan shall clearly demonstrate any building's finish floor elevation to be at least one foot (1-ft) above the 100-year Base Flood Elevation.
161. If a portion of the proposed site resides in a FEMA special flood hazard area, then a Conditional Letter of Map Revision (CLOMR) shall be processed prior to grading plan approval.
  - a. The following descriptions are for clarification to determine which documents should be submitted:
    - i) LOMA – A letter from FEMA stating that an existing structure or parcel of land that has not been elevated by fill (natural grade) would not be inundated by the base flood.
    - ii) LOMR-F – A letter from FEMA stating that an existing structure or parcel of land that has

been elevated by fill would not be inundated by the base flood.

- iii) CLOMA – A letter from FEMA stating that a proposed structure that is not to be elevated by fill (natural grade) would not be inundated by the base flood if built as proposed.
  - iv) CLOMR-F – A letter from FEMA stating that a parcel of land or proposed structure that will be elevated by fill would not be inundated by the base flood if fill is placed on the parcel as proposed or the structure is built as proposed.
- b. If any of the above Letters or Conditional Letters have already been processed, provide a copy of the approved documents.

### Subdivision Map

- 162. The Permittee/Owner shall submit a Subdivision Map prepared in accordance to the City of Murrieta Development Code and California Subdivision Map Act. The final map shall be prepared by a licensed land surveyor or qualified registered civil engineer.
- 163. The Subdivision Map shall include the following "Improvement Note(s)" to identify required improvements prior to city-specified benchmarks (e.g., any permit issuance), in accordance with the Subdivision Map Act 66411.1. The following improvements notes shall be added on the Subdivision Map:
  - a. All public improvements, as identified per the conditions of approval, shall be completed, and accepted/as-built, prior to the first certificate of occupancy.
  - b. The improvements/modifications proposed at the existing intersection of New Clay St & B St shall be completed, and accepted/as-built, prior to the first certificate of occupancy.
- 164. Prepare and record an Owner's statement acceptable to the City Engineer with a note to the effect that the property owner is responsible for the maintenance of the parkway lighting, landscaping and irrigation, and any applicable water quality treatment facilities/devices.
- 165. On-site public drainage facilities located outside of public right-of-way shall be contained within public drainage easements as determined to be necessary. A note shall be added on the Subdivision Map stating, "*Public drainage easements shall be kept free of buildings and obstructions.*"
- 166. Prior to approval of the Subdivision Map, the Permittee/Owner shall submit an application and pay a fee for the city administrator to reapportion any existing assessment district liens. The fee proposal from Willdan Financial Services includes a base amount and per parcel charge so the total amount will vary depending on number of parcels.
- 167. Easements, when required for roadway, slopes, landscaping, drainage facilities, utilities, etc., for either onsite or offsite, shall be shown on the Subdivision Map. The Permittee/Owner shall incur all costs associated with the formation of a suitable maintenance district for all associated roadway, slope, landscape, and drainage easements, including access.
- 168. All offers of dedication and conveyances shall be submitted for review and approval, and recorded as directed by the Engineering Department.

169. All easements and/or right-of-way dedications shall be offered on the Subdivision Map to the City, or other appropriate agency, and shall continue in force until the City, or other agency, accepts or abandons/rejects such offer(s). All dedications shall be free from all encumbrances as approved by the Engineering Department.
170. Relinquish and waive abutter's right of access to and from New Clay Street and B Street, excepting those areas as shown on the approved tentative map.
171. Any proposed vacation(s) and/or abandonment(s) of existing right of way or public easements shall be shown on the Subdivision Map, or per separate document(s) as approved by the City Engineer. Vacations and/or abandonments may be required to be approved prior to issuance of a grading permit.
172. Proof of payment of any, and all, delinquent property taxes shall be provided prior to recordation of the Subdivision Map.
173. Subject to the discretion of, and final approval by, the City Council, the City shall vacate/abandon a portion of the following street's right-of-way.
  - A. Old Clay Street
  - B. Juniper Street
  - C. C Street
  - D. D Street
  - E. 5th Street
  - F. If the vacation/abandonment is unsuccessful, Permittee/Owner shall submit revised plans for substantial conformance review as required by the City of Murrieta Development Code.
174. Provide an electronic copy of the Subdivision Map in a PDF format and AutoCAD format, to the satisfaction of the City's GIS Department. A hard copy may also be required.

#### **PRIOR TO ISSUANCE OF BUILDING PERMITS**

175. The Permittee/Owner shall provide a copy of the recorded map and/or agreements to the Building Division and Engineering Department. Electronic and hard copies may be required, at the discretion of the City Engineer.
176. All easements, agreements of improvements, offsite construction, and dedication for required rights-of-way shall be approved by the Engineering Department.
177. The building pad shall be certified by a registered Civil Engineer for location and elevation. Additionally, the Soils Engineer shall issue a Final Soils Report addressing compaction and site conditions.
178. The Permittee/Owner shall pay to the City all applicable Development Impact Fees as required by, and in accordance with, City Ordinance 196-98, Resolution No. 08-2107 and Resolution No. 16-3602.
179. The Permittee/Owner shall pay to the City the Western Riverside County Transportation Uniform Mitigation Fee (TUMF) based on the applicable rates at time of permit.

**DURING CONSTRUCTION**

180. If applicable, a qualified biologist shall delineate jurisdictional areas that are not to be disturbed. Barrier fencing shall be installed, as approved, delineating the areas of avoidance. Once construction is completed, the same qualified biologist shall certify that no jurisdictional area was disturbed or damaged.
181. Construction fencing shall be placed so as not to interfere with sight distance and comply with City Std. No. 214.
182. If dirt or construction debris is to be transported into, or off, the site, a haul permit will be required as part of the grading permit process. Both import and export locations must be permitted sites. If so, submit a proposed haul route plan and comply with all conditions and requirements the City Engineer may impose to the hauling operation.
183. The exact depth of street structural section and subgrade requirement shall be based on subgrade "R" value tests and the appropriate Traffic Index for the type of street, as determined by the Geotechnical Engineer and the City Standards, whichever is greater.
184. If any water wells are found onsite, they shall be protected in place or abandoned, as approved by the State Department of Water Resources and Riverside County Health Department. Confirmation of abandonment approval shall be provided to the City.
185. The Permittee/Owner shall construct all sewer and water improvements necessary to serve this project. Private sewer force mains are not allowed in the public right-of-way unless otherwise approved by the City Engineer.
186. The Permittee/Owner shall install all existing and proposed utility systems underground, including electric lines 32kv and lower (as applicable), telephone, and cable TV, in accordance with City Codes, the utility provider, and as approved by the City Engineer. All applicable appurtenances shall also be installed. Easements shall also be provided as required.
187. Above ground Edison transformers shall be installed behind the right-of-way line, as approved.
188. Permittee/Owner shall install all dry and wet utilities prior to the placement of final cap or lift of asphalt pavement to avoid new street improvements from being marred by saw cuts, potholes, equipment, etc.
189. The approved Storm Water Pollution Plan (SWPPP) shall be available onsite at all times from the Notice to Proceed until the issuance Notice of Termination. Moreover, the Permittee/Owner shall be responsible for implementation, monitoring, operation and maintenance of the SWPPP until all construction is completed and improvements have been accepted by the City.
190. Existing street pavement along the project's frontage(s), shall be reconstructed or overlaid, as approved by the City Engineer. If core testing was not done prior to permit issuance:
  - a. If core testing was not done prior to permit issuance, existing street pavement along the project's frontage(s), may be required to be core tested to determine if the existing



structural section meets current City Standards. Core testing shall be taken by a qualified engineer at locations approved by the Director of Public Works. Substandard sections shall be reconstructed or overlaid. The Director of Public Works shall have the final approval for all street conditions and the limits of the pavement reconstruction and/or resurfacing.

191. All cul-de-sac bulbs and knuckles shall be constructed per the City of Murrieta's Standard Drawings 201, 202, and 203.
192. Improvement plans shall show all existing and proposed drainage and stormwater facilities, including surface and subsurface construction. All required drainage easements shall be monumented along the boundaries as approved by the City Engineer. Access easements shall be provided where necessary and shall be improved, fenced, and aligned to the satisfaction of the City Engineer.
193. A light emitting diode for the public and private street lighting system shall be installed, as approved by the City Engineer, and per the City's Street Lighting Standards, 619, 620, and 620C.
194. Provide 12 foot wide x 6 inch thick concrete paved access to storm drain facilities, as approved by the City Engineer.
195. The Permittee/Owner shall construct the following public improvements as approved by the City Engineer.
  - A. Construct New Clay St frontage to be improved to a half width of 50 feet centerline to right-of-way, per the Downtown Specific Plan.
    - i) The required improvements shall include, opposite centerline, a minimum of 12 feet A.C. paved surface and 8 feet graded shoulder.
    - ii) The required improvements shall include connectivity to existing improvements.
    - iii) The required improvements shall include connectivity to improvements existing opposite legal centerline.
    - iv) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.
    - v) The frontage shall ensure ADA compliant sidewalk and pedestrian ramps (truncated domes).
      - (1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, as approved by the City Engineer.
    - vi) Due to proposed improvements and striping, the Permittee/Owner shall reslurry, as approved by the City Engineer.
  - B. Construct B St frontage as approved by the City Engineer.
    - i) The required improvements shall include, opposite centerline, a minimum of 12 feet A.C. paved surface and 8 feet graded shoulder.

- ii) The required improvements shall include connectivity to existing improvements.
  - iii) The required improvements shall include connectivity to improvements existing opposite legal centerline.
  - iv) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.
  - v) The frontage shall ensure ADA compliant sidewalk and pedestrian ramps (truncated domes).
  - (1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, to the satisfaction of the City Engineer.
  - vi) As applicable, callout right-of-way dedication/vacation along the frontage to provide the requested right-of-way for the required improvements.
  - (1) Transition striping from the proposed frontage may be required to commence at the project boundary and extend offsite to the satisfaction of the City Engineer.
  - vii) Due to proposed improvements and striping, the Permittee/Owner shall reslurry, as approved by the City Engineer.
- C. Construct all interior streets as approved by the City Engineer.
- i) The required improvements shall include connectivity to existing improvements.
  - ii) The project's frontage shall identify the requested parkway to accommodate the enhanced parkway landscape.
  - iii) The frontage shall ensure a design for ADA compliant sidewalk and pedestrian ramps (truncated domes).
  - (1) Pedestrian ramps adjacent to the project shall be improved/provided to current ADA standards, to the satisfaction of the City Engineer.
196. All existing street monuments within or abutting this project site shall be preserved. If such monuments are damaged or destroyed, the Permittee/Owner shall retain a licensed land surveyor or a qualified registered civil engineer to reset those monuments per City Standards 617a, 617b, and 617c, and file the necessary information with the County Recorder's office as required by California Business and Professions Code Section 8771. If damaged, existing monuments that are no longer relevant do not have to be replaced, subject to approval by the City Engineer.
197. If constructing a new street or new intersection, the Permittee/Owner shall provide a design with callouts for street centerline monuments to be set per City Std. 617a, 617b, and 617c. All elevation locations for street centerline(s) shall be provided.
198. All existing property monuments within or abutting this project site shall be preserved. If such monuments are damaged or destroyed, the Permittee/Owner shall retain a licensed land surveyor or a qualified registered civil engineer to reset those monuments per City Standards and file the necessary information with the County Recorder's office as

required by California Business and Professions Code Section 8771. If damaged, existing monuments that are no longer relevant do not have to be replaced, subject to approval by the City Engineer.

199. For new street and/or new intersection monumentation, street centerline monuments shall be set per City Std. 617a, 617b, and 617c, as approved by the City Engineer. All elevation locations for street centerline(s) shall be provided.
200. For reconstructed existing street(s) and/or intersection(s), street centerline monuments shall be set per City Std. 617a, 617b, and 617c, and elevations provided, unless specified otherwise by the City Engineer, or assignees.
201. Centerline tie notes may be provided, when applicable as noted on City Std. 616, on 8.5 x 11 mylar sheets (identify locations if possible). Prior to installation, each location where tie notes may apply shall be reviewed and approved by the City Engineer, or assignees, to determine monument type to be used.
202. Permittee/Owner shall confirm the infiltration rates coincide with the rates used in the Water Quality Management Plan. If BMPs are to be placed in areas and/or depths different from the original infiltration testing, thereby posing potentially different infiltration rates from those originally obtained, new infiltration testing may be required and BMP designs may be impacted.
203. FEMA Elevation Certificate(s) shall be provided for all lots within one hundred feet of the 100-year flood plain concurrently with each pad certification.

#### **PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY**

204. Final grading of the subject property shall be completed in accordance with the California Building Code, the approved grading plan, the conditions of the grading permit, and City Grading Manual, via accepted grading construction practices.
205. All improvements, required by the Engineering Department, shall be constructed, completed, and accepted per the approved plans and City standards to the satisfaction of the City Engineer. All sewer and water improvements shall be constructed, completed, and accepted in accordance with the Sewer and Water District standards.
206. Final Map shall have been recorded, accepted by County, and a copy provided to the City Engineer, in the format requested.
207. If applicable, provide elevations for set Street Centerline Monuments. If approved, provide centerline tie notes per City Std. 616 on 8.5 x 11 mylar sheets for all monuments set.
208. All existing and proposed utility lines have been undergrounded and/or relocated, and/or easements provided, as necessary.
209. Demonstrate that all treatment control BMP's described in the Final project-specific WQMP have been constructed and installed in conformance with the approved plans and specifications and the Permittee/Owner is prepared to maintain all BMP's described in the approved Final project-specific WQMP.
210. The Permittee/Owner shall prepare and provide an as-built project specific Final WQMP

(updated to include any changes made during construction) and demonstrate that an adequate number of copies are available for the future owners / occupants.

- a. One (1) electronic format shall also be provided to the Department of Engineering.
211. The Permittee/Owner shall demonstrate that the irrigation controller and heads are set so irrigation runoff does not enter the street or storm drain systems.
  212. The Permittee/Owner shall provide a copy of these free brochures in the new homeowner booklet: "Guidelines for Maintaining Your Swimming Pool, Jacuzzi, and Garden Fountain; Outdoor Cleaning Activities and Professional Mobile Service Providers; and What's the Scoop".
    - a. Cleaning Activities and Professional Mobile Service Providers; and What's the Scoop". Include a copy of the link to the City's website "Trash & Recycling" page that includes information that can help improve the quality of storm water runoff by providing basic information to the new homeowner. <http://www.murrietaca.gov/services/trash/default.asp>
    - b. Inform Homeowners that Waste Management will pick up for free bulk items & electronics twice per year as part of the trash service the homeowners pay for.
    - c. Household hazardous waste products such as used motor oil, paint, and batteries can be disposed of for free at the County of Riverside facility located at 25315 Jefferson Avenue, Murrieta, CA 92562. Hours are only from 9am to 2pm on Saturdays and closed on holiday weekends. Provide this contact phone number of (951) 486-3200 & link: [http://www.rivcowm.org/HHW\\_Schedule.htm#\\_Regional\\_Permanent\\_HHW](http://www.rivcowm.org/HHW_Schedule.htm#_Regional_Permanent_HHW).
    - d. Educate the homeowner on how to operate their irrigation controller so no irrigation runoff reach the street and storm drain systems.
  213. The Permittee/Owner shall disclose to the property owner(s) they are responsible for the maintenance of the parkway landscaping. And any other work within the public right-of-way will require an encroachment permit from the Engineering Department.
  214. The Permittee/Owner shall provide one set of Mylars, scanned copy, and electronic copy of "As-Built" drawings of the grading and improvement plans. The electronic copy shall be in an AutoCAD format to the satisfaction of the City's GIS Department<sup>2</sup>. Coordinate system shall be NAD 1983 State plane California Zone V1 FIPS 0406 Feet. Also provide electronic copies (thumb drive) of the approved WQMP, Hydrology/Hydraulic Report, Final Geotechnical Report, and any other applicable document(s). Said Electronic copies shall be in a Word.doc, PDF format, or other acceptable Microsoft formats.
  215. Obtain written clearance, as deemed necessary by the Engineering Department, from the following agencies:
    - i) Planning Division
    - ii) Engineering Department
    - iii) Building Division
    - iv) Fire Department
    - v) Landscape (Planning)
    - vi) Community Services Department
    - vii) Sewer and Water District(s)

- viii) Utility Companies
- ix) Southern California Edison Company

## **BUILDING DIVISION**

### **General:**

- 216. All construction shall comply with the current California Building Codes (CBC), and related Codes and Ordinances of the City of Murrieta. Digital sets of plans shall be submitted for each building and exterior site improvements; and shall include building data, building use/occupancy, construction type, actual building square foot area and related building means of egress and ensuing egress discharge to the public right-of-way.
- 217. 15% of purposed lots shall be provided with a UDO designation and comply with Murrieta Municipal Code Chapter 15.12 – UNIVERSAL DESIGN RESIDENTIAL DWELLINGS.
- 218. Architectural site and on-site civil design shall correlate, and details shall comply with accessibility standards of the State of California.
- 219. Construction plan submittals shall be subject to the current California Green Building Standards Code, wherein provisions for means of achieving material conservation and resource efficiency through construction waste reduction of at least 65% recycling and/or salvage for reuse, diversion, and employment of techniques to reduce pollution through recycling of materials.
- 220. Any proposed exterior lighting shall be shown on building permit plans and shall comply with the City of Murrieta's MMC Sec.16.18.110, Mt. Palomar Lighting Pollution Control Standards and/or equal. LED limits are 4050 lumens maximum per fixture and 3000K kelvin color rendition.
- 221. Plans submitted during the permitting process, including but not limited to, site plan, precise grade plans and building architectural features, shall not vary substantially from plans previously reviewed and approved by the Planning, Engineering or other City Departments, without prior authorization from the City Planner, City Engineer and/or Director of Building and Safety.

### **Building Permit Application:**

- 222. Digital sets of building construction plans shall be submitted, including two sets of supplemental current soil report, structural calculations, energy calculations, etc. Submittals shall conform to the Electronic Plan Check Submittal Guide (Building Form IB-110). Plans must conform to Digital Submittal Requirements (Building Form DS-162).
- 223. Plans submitted for building construction shall contain a full size copy of the Final Approved set of city departments Conditions of Approval.
- 224. Submit a construction waste management plan (Building Form DS-153) for diversion of materials, including the following:

- i. Identify the materials to be diverted from disposal by efficient usage, recycling, reuse on the project, or salvage for future use or sale
- ii. Determine if materials will be sorted on-site or mixed
- iii. Identify diversion facilities where material collected will be taken
- iv. Specify that the amount of materials diverted shall be calculated by weight or volume, but not both,

If applicable, provide a C & D letter for Construction Waste Diversion from the Waste Management Co.

**Prior to Permit Issuance:**

225. A Waste Management Plan (Building Form DS-153), which may include a C & D letter from the Waste Management Company for the recycling, reuse and diversion of construction waste materials from landfills is required prior to the permit issuance.
226. All applicable fees and forms shall be paid. This may include TUMF, School, DIF, etc.
227. Verification of an approved, stamped and signed by the City of Murrieta Engineer, grading plan.

**Prior to Building Final:**

228. Final permit approvals shall be obtained, and any outstanding fees shall be paid to all City Departments, which may include Fire, Planning, Engineering, Building & Safety, and the City Landscape Architect prior to the issuance of a Certificate of Occupancy from the City of Murrieta Building and Safety Division.

**COMMUNITY SERVICES DEPARTMENT**

229. The permittee must either form their own [maintenance] Association OR join the Community Service District (CSD) by forming a Landscape and Lighting District in order to maintain the local areas within this project. If the permittee wishes to form a Landscape and Lighting District instead of an Association, the permittee should submit a Letter of Intent indicating such to this department. Please note that tract Approvals cannot take place unless this office receives that Letter of Intent.
230. A decorative fence, tubular steel or split rail, shall be constructed to prevent unauthorized access into the MSHCP conservation area along the project's Murrieta Creek frontage, subject to approval by the CSD, Engineering, and Planning Division. Chain link fencing is prohibited, unless otherwise required by a responsible agency (RCFCD, RWQCB, USACOE).

**FIRE DEPARTMENT**

231. Final fire and life safety conditions will be addressed when the Office of the Fire Marshal reviews building plans. These conditions will be based on occupancy, use, California Building Code (CBC), California Fire Code (CFC), and related codes, which are in effect at the time of building plan submittal.
232. Minimum fire flow for the construction of all buildings is required per CFC Appendix B and Table B105.1. Prior to building permit issuance, the applicant/developer shall provide documentation to show there exists a water system capable of delivering 1,500 gpm at 20psi for two hours. Subsequent design changes may increase or decrease the required fire flow.
233. Plans and specifications for construction must be submitted to the City of Murrieta for review and approval prior to installation.
234. Commercial fire access roads shall provide access roadway with minimum unobstructed width of 26 feet and minimum 13'6" vertical clearance.
235. All fire apparatus roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions.
236. Fire Apparatus Access roads (all roads in project) shall be usable (paved), accessible and fire hydrant(s) shall be capable of flowing required GPM and shall be tested/accepted by Fire Department prior to dropping any lumber for construction.
237. Roadway design features (speed humps, bumps, speed control dips, etc.) which may interfere or delay emergency apparatus responses shall not be installed or allowed to remain on the emergency access roadways.
238. Any gate or barrier across a fire access roadway, whether manual or automatic, must meet the Murrieta Fire & Rescue requirements and have specific plans and permits approved prior to installation. Gates serving multi-family assembly, educational, hazardous, institutional, or storage structures must be automatic and meet UL 325 and ASTM F 2200 standards. Knox brand key-operated electric key switch keyed to Murrieta Fire & Rescue specification are required. The Knox switch shall override all gate functions and open the gate. Other access control systems, such as Opticom, are required and must be installed as directed by the Fire Marshal.
239. All fire apparatus roadways must be maintained unobstructed and drivable by fire apparatus throughout the construction process. Access roadways shall be capable of holding an imposed load of 75,000 pounds including in adverse weather conditions.
240. Fire lane designations shall be required for all fire access roadways as determined by Murrieta Fire & Rescue. Posted signs which state "FIRE LANE, NO PARKING" shall be installed every 50 feet. Curbs shall be painted red and stenciled with white letters indicating the same on the face and top of any curb as directed by Murrieta Fire & Rescue. All fire lanes shall be marked and identified prior to Certificate of Occupancy.

241. Prior to issuance of a building permit, provide a phasing plan to address on-site access and water availability during each phase.
242. Prior to building construction, fire apparatus access roads extending beyond 150 feet which have not been completed shall have a turnaround capable of accommodating fire apparatus.
243. During phased construction, fire apparatus access roads extending beyond 150 feet which have not been completed shall have a turn-around capable of accommodating fire apparatus.
244. If construction is phased, each phase shall provide approved emergency vehicular access for fire protection prior to any building construction.
245. Underground Fire water improvement plans shall be approved by Murrieta Fire & Rescue. Plans shall be designed by a Registered Engineer and/or Licensed Contractor. On-site private fire service mains shall have a minimum of eight (8) inch water mains with six (6) inch laterals and risers. Larger pipes may be required to meet required fire flow requirements. Fire hydrants shall provide one 4" port and 2-2 ½ ports and must be an approved fire hydrant type. The private fire hydrant system must be approved, installed, tested and accepted prior to combustible construction.
246. The minimum number of fire hydrants required, as well as the location and spacing of fire hydrants, shall comply with the C.F.C. and NFPA 24. Fire hydrants shall be located no closer than 40 feet from a building. A fire hydrant shall be located within 50 feet of the fire department connection for buildings protected with a fire sprinkler system. The size and number of outlets required for the approved fire hydrants are (6" x 4" x 2 ½" x 2 ½").
247. Prior to issuance of a building permit, plans shall be submitted to the fire department for an automatic fire sprinkler system to be installed in accordance with NFPA 13D.
248. A Fire Master plan shall be submitted and approved by MF&R prior to construction. Fire master plans will show the location of all fire appurtenances, fire lanes and the location of required fire lane marking. It will also address how the contractor will maintain emergency vehicle access during construction.
249. All required plan submittals are required to be electronically submitted.
250. Permanent commercial/industrial three-dimensional street numbers, minimum 12 inches in height with a ½ inch stroke, shall be provided on the address side of the building at the highest point and furthest projection of the structure. The address shall be visible from the street and shall not be obstructed in any manner.
251. Fire safety during construction shall comply with the requirements of CFC Chapter 33.



252. Permittee must comply with the requirements stated in Riverside County Flood Control District letter dated May 1, 2007 from Arturo Diaz.

**END OF CONDITIONS**