

**CITY OF MURRIETA
Council Chambers
1 Town Square
Murrieta 92562**



**Wednesday, July 8, 2026
6:00 PM REGULAR MEETING**

The City of Murrieta intends to comply with the Americans with Disabilities Act (ADA). Persons with special needs should call the Planning Department at (951) 461-6060 or email at TWells@MurrietaCA.gov at least 72 hours in advance.

Any presentation requiring the use of the City of Murrieta's equipment must be submitted to the City Clerk's department 24 hours prior to the scheduled City Council meeting at City Hall located at 1 Town Square, Murrieta, CA; via email at TWells@MurrietaCA.gov or call (951) 461-6060. Any writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection at the public counter at City Hall located at 1 Town Square, Murrieta, CA during normal business hours.

**Dennis Vrooman
Chairman**

**Joe Wojcik
Vice Chair**

**Michael LaPaglia
Commissioner**

**John Rose
Commissioner**

**Michael DeSena
Commissioner**

**YOU MAY VIEW THE MEETING LIVESTREAMED VIA THE CITY'S WEBSITE AT
<https://murrieta.legistar.com/Calendar.aspx>**

CALL TO ORDER**ROLL CALL****PLEDGE OF ALLEGIANCE****APPROVAL OF AGENDA****PUBLIC COMMENTS**

Any member of the public may address the Commission during the public comments portion of the agenda on items within the Commission's jurisdiction that are not already scheduled for consideration on this agenda. However, the Commission can take no action on matters that are not part of the posted agenda. A time limit of three minutes may be applied on each individual addressing the Commission.

Any individual or group desiring to make a presentation to the Commission of more than three (3) minutes in length must make arrangements with the Planning Director in advance.

APPROVAL OF MINUTES**1. Minutes**Recommended Action:

Approve the minutes of the April 22, May 13, and May 27, 2026, Regular Planning Commission meetings.

BUSINESS ITEM**2. Resolution to Determine that a Vacation in a portion of Washington Avenue is Consistent with the General Plan**Recommended Action:

Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, DETERMINING THAT THE VACATION OF A PORTION OF WASHINGTON AVENUE IS IN CONFORMITY WITH THE CITY'S GENERAL PLAN

PUBLIC HEARINGS

3. **Reintroduction of Hillside Updates (DCA-2021-2396) to amend the Murrieta Development Code (Title 16) for the purpose of revising and updating Chapters 16.08, 16.14, 16.18, 16.22, 16.24, 16.28, and adding new Sections 16.24.080, entitled “Exceptions”, 16.24.090, entitled “Reserved”, and 16.24.100, entitled “Hillside Overlay Map” - Continued from the June 10, 2026 Planning Commission hearing.**

Recommended Action:

1. Re-Open the Public Hearing;
2. Accept public testimony;
3. Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2396 RELATED TO CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28.

CITY PLANNER COMMENTS**CITY ATTORNEY COMMENTS****PLANNING COMMISSION COMMENTS****ADJOURNMENT**



CITY OF MURRIETA

Planning Commission Meeting

Agenda Report

7/8/2026
Agenda Item No. 1.

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: Carl Stiehl, City Planner

PREPARED BY: Tanya Wells, Executive Assistant - Planning

SUBJECT: **Minutes**

RECOMMENDATION

Approve the minutes of the April 22, May 13, and May 27, 2026, Regular Planning Commission meetings.

ATTACHMENTS

1. April 22, 2026, Planning Commission Meeting Minutes
2. May 13, 2026, Planning Commission Meeting Minutes
3. May 27, 2026, Planning Commission Meeting Minutes

**CITY OF MURRIETA
1 TOWN SQUARE
MURRIETA, CA
MINUTES**



**April 22, 2026
6:00 PM REGULAR MEETING**

MURRIETA PLANNING COMMISSION

**Dennis Vrooman
Chairman**

**Joe Wojcik
Vice Chair**

**Michael LaPaglia
Commissioner**

**John Rose
Commissioner**

**Michael DeSena
Commissioner**

CALL TO ORDER 6:02 p.m.

ROLL CALL

Present: Chair Vrooman
Commissioner DeSena
Commission Rose

Absent: Vice Chair Wojcik, Commissioner LaPaglia

PLEDGE OF ALLEGIANCE Chair Vrooman

APPROVAL OF AGENDA

Action: It was moved by Commissioner DeSena seconded by Commissioner Rose to Approve the Agenda.

Motion carried by the following vote:

Ayes: Vrooman, DeSena, Rose
Noes: None
Absent: Wojcik, LaPaglia

PUBLIC COMMENTS

None.

WORKSHOP

Workshop - Residential Objective Design Standards Update.

Senior Planner Dennis Watts and City Planner Carl Stiehl presented the staff report and gave a detailed presentation to the Commission.

The Planning Commission asked questions of staff who provided responses to the satisfaction of the Commission.

There were no public comments on this subject.

Chair Vrooman concluded the workshop.

CITY PLANNER COMMENTS

City Planner Carl Stiehl thanked staff for attending and provided a brief update for the next Planning Commission meeting.

CITY ATTORNEY COMMENTS

None.

PLANNING COMMISSION COMMENTS

The Commission had no comments.

ADJOURNMENT 7:22 pm

Tanya Wells, Planning Commission Secretary



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**CITY OF MURRIETA
1 TOWN SQUARE
MURRIETA, CA
MINUTES**



**May 13, 2026
6:00 PM REGULAR MEETING**

MURRIETA PLANNING COMMISSION

**Dennis Vrooman
Chairman**

**Joe Wojcik
Vice Chair**

**Michael LaPaglia
Commissioner**

**John Rose
Commissioner**

**Michael DeSena
Commissioner**

CALL TO ORDER 6:02 p.m.

ROLL CALL

Present: Chair Vrooman
Vice Chair Wojcik
Commission Rose

Absent: Commissioner LaPaglia, Commissioner DeSena

PLEDGE OF ALLEGIANCE Commissioner Rose

APPROVAL OF AGENDA

Action: It was moved by Vice Chair Wojcik seconded by Chair Vrooman to Approve the Agenda.

Motion carried by the following vote:

Ayes: Vrooman, Wojcik, Rose
Noes: None
Absent: LaPaglia, DeSena

PUBLIC COMMENTS

None.

Motion carried by the following vote:

Ayes: Vrooman, Wojcik, Rose
Noes: None
Absent: LaPaglia, DeSena

PUBLIC HEARINGS

Residential Objective Design Standards Update (MCA-2026-00013).

Senior Planner Dennis Watts and Alan Loomis from Placeworks presented the staff report and delivered a detailed presentation to the Commission.

The Planning Commission asked questions of staff who provided responses to the satisfaction of the Commission.

The Public Hearing was opened at 6:57 pm.

Public Testimony

Kassen Klien
Alan Long

The Public Hearing was closed at 7:03 pm.

The Commissioners responded to the testimony, asked questions of staff, and provided their remarks.

Dennis Watts, David Chantarangsu and Alan Loomis addressed comments on issues raised during public testimony.

Action: It was moved by Vice Chair Wojcik seconded by Chair Vrooman to Adopt an Ordinance that includes the final revised Residential Objective Design Standards and Code Amendment related to Development Code Chapters 16.08, and 16.16 entitled:an Ordinance of the City Council of the City of Murrieta,California, amending title 16 of the Murrieta Municipal Code to revise the city's Development Code (Planning Case No.MCA-2026-00013) chapters 16.08 and 16.16 to amend the Multi-family Residential and Mixed-Use Residential Objective Design Standards.***with the additional items that Vice Chair Wojcik voiced.

Reintroduction of Hillside Ordinance Updates (DCA-2021-2396) Murrieta Development Code

Senior Planner Chris Tracy presented the staff report.

The Planning Commission asked questions of staff who provided responses to the satisfaction of the Commission.

The Public Hearing was opened at 7:55 pm.

Public Testimony

Kassen Klien
Alan Long
Dan Long

The Public Hearing was closed at 8:09 pm.



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Senior Planner Chris Tracy and City Planner Carl Stiehl responded to the public testimony and Commissioners' comments.

Action: It was moved by Chair Vrooman seconded by Vice Chair Wojcik to continue the item to a future Planning Commission meeting to a date uncertain, as amended on the floor.

Motion carried by the following vote:

Ayes: Vrooman, Wojcik, Rose

Noes: None

Absent: LaPaglia, DeSena

CITY PLANNER COMMENTS

City Planner Carl Stiehl thanked staff and the Commissioners for their comments and input.

CITY ATTORNEY COMMENTS

None.

PLANNING COMMISSION COMMENTS

Vice Chair Wojcik expressed appreciation to staff for their diligent work.

ADJOURNMENT 8:32 pm

Tanya Wells, Planning Commission Secretary



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**CITY OF MURRIETA
1 TOWN SQUARE
MURRIETA, CA
MINUTES**



**May 27, 2026
6:00 PM REGULAR MEETING**

MURRIETA PLANNING COMMISSION

**Dennis Vrooman
Chairman**

**Joe Wojcik
Vice Chair**

**Michael LaPaglia
Commissioner**

**John Rose
Commissioner**

**Michael DeSena
Commissioner**

CALL TO ORDER 6:02 p.m.

ROLL CALL

Present: Chair Vrooman
Commissioner LaPaglia
Commissioner DeSena
Commissioner Rose

Absent: Vice Chair Wojcik

PLEDGE OF ALLEGIANCE Commissioner DeSena

APPROVAL OF AGENDA

Action: It was moved by Commissioner LaPaglia seconded by Commissioner DeSena to Approve the Agenda.

Motion carried by the following vote:

Ayes: Vrooman, LaPaglia, DeSena, Rose
Noes: None
Absent: Wojcik

PUBLIC COMMENTS

None.

DISCUSSION ITEM

Proposed additions to the Capital Improvement Plan for Fiscal Years 2026/24-2030/31 in conformance with the City of Murrieta General Plan 2035.

Financial Analyst Roland Mendoza and Senior Civil Engineer James Ozoof presented the staff report.

Battalion Chief Dave Perez and Community Services Management Analyst Crystal Arora were available for questions.

Municipal Services Management Analyst Bryce Wilson responded to Commissioners questions.

Staff responded to the Commissioners' questions regarding various CIP projects.

Action: It was moved by Commissioner LaPaglia seconded by Commissioner DeSena to Approve a Resolution of the Planning Commission of the City of Murrieta, California, making a finding to the City Council that the new proposed additions to the Capital Improvement Plan for Fiscal Years 2026/27 through 2030/31 are in conformance with the City of Murrieta General Plan 2035

Motion carried by the following vote:

Ayes: Vrooman, LaPaglia, DeSena, Rose

Noes: None

Absent: Wojcik

WORKSHOP

Planning Commission Training and Workshop on Commission Functions, the Public Process, Public Record Act Requests, Ethics, the Brown Act and State law.

Deputy Director Jarret Ramaiya and City Planner Carl Stiehl provided the presentation and conducted the training.

Assistant City Attorney Martin Koczanowicz was available to respond to the Commissioners' comments and questions.

Chair Vrooman concluded the workshop.

CITY PLANNER COMMENTS

City Planner Carl Stiehl thanked staff and the Commissioners for their comments and input and reviewed the items scheduled for consideration at the next Planning Commission meeting.



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CITY ATTORNEY COMMENTS

Assistant City Attorney Martin Koczanowicz expressed appreciation for staff's work and the overall process and thanked staff for their time and efforts.

PLANNING COMMISSION COMMENTS

Commissioner LaPaglia expressed appreciation to staff for their time and efforts.

ADJOURNMENT 7:50 pm

Tanya Wells, Planning Commission Secretary



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CITY OF MURRIETA

Planning Commission Meeting

Agenda Report

7/8/2026
Agenda Item No. 2.

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: Carl Stiehl, City Planner

PREPARED BY: Jeff Lyall, Sr. Development Service Technician

SUBJECT: **Resolution to Determine that a Vacation in a portion of Washington Avenue is Consistent with the General Plan**

RECOMMENDATION

Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, DETERMINING THAT THE VACATION OF A PORTION OF WASHINGTON AVENUE IS IN CONFORMITY WITH THE CITY'S GENERAL PLAN

ENVIRONMENTAL

The project is exempt from the California Environmental Quality Act (CEQA) pursuant to Class 5 (Minor Alterations in Land Use - Section 15305) as this is a minor right-of-way vacation that does not change land use or density of the surrounding properties.

PRIOR ACTION/VOTE

None

EXECUTIVE SUMMARY

The request involves an existing project under construction located at the southeast corner of Kalmia Street and Washington Avenue at 24610 Washington Avenue, which is located in the City's Downtown Specific Plan area. The approved project consists of a +/- 50,000 square foot mixed-use building containing commercial and residential uses. The project's approved plans include modification of the Washington Avenue public right-of-way. The property was last subdivided in 1979 and is identified as Parcel 3 of Parcel Map 7704.

The property owner, SPE 906-090-014 LLC, has requested the vacation of approximately 3,181 square feet of Washington Avenue right-of-way within Parcel 3 consistent with the approved project plans. Engineering staff reviewed the request and found it complies with applicable state and local requirements. In this case, the right-of-way is no longer needed for future public use and is consistent with the Murrieta General Plan and Downtown Murrieta Specific Plan.

BACKGROUND

An application was filed by Downtown SPE 906-090-014 LLC, the applicant, to vacate a public right-of-way easement located within Parcel 3 of Parcel Map 7704. The land being vacated consists of a portion of Washington Avenue, approximately 3,181 square feet (see Exhibit B). The approved project incorporates a portion of the Washington Avenue right-of-way, and the City must vacate the referenced portion of Washington Avenue to comply with approved development plans. Pursuant to Government Code Section 65402, the Planning Commission must determine that the right-of-way to be vacated is consistent with the City's General Plan. Given the approved project, staff has reviewed the application and determined that the requested right-of-way to be vacated is excess and no longer needed per the General Plan and the Downtown Murrieta Specific Plan. The applicable local Utilities have been notified and there are no conflicting utilities within the proposed vacation area or requests from public utilities to reserve an easement. Therefore, staff recommends completing a summary vacation of the requested portion of Washington Avenue right-of-way. Engineering staff has reviewed the proposed vacation for conformance with the Streets and Highway Code Chapter 4, Part 3, Division 9 and the Murrieta Municipal Code. The legal description (Exhibit "A" to the resolution) and plat map (Exhibit "B" to the Resolution) describe and show the location of the right-of-way to be vacated.

ATTACHMENTS

1. Resolution
2. Exhibit A - Legal Description
3. Exhibit B - Plat

RESOLUTION NO. 26-____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, DETERMINING THAT THE VACATION OF A PORTION OF WASHINGTON AVENUE IS IN CONFORMITY WITH THE CITY'S GENERAL PLAN

WHEREAS, pursuant to Streets & Highway Code Section 8300, *et seq.*, the City Council of the City of Murrieta ("City") is authorized to vacate a portion of a street which is located within the City; and

WHEREAS, the proposed area to be vacated consists of WASHINGTON AVENUE ("Vacation Area"), as described and depicted on Exhibits "A" and "B," respectively; and

WHEREAS, pursuant to Streets and Highways Code Section 8313, the Planning Commission must make a finding of conformance with the General Plan before the city Council approve the proposed vacation.

NOW, THEREFORE, the Planning Commission of the City of Murrieta, California, Does Hereby Resolve As Follows:

Section 1. That all of the above-stated recitals are true and correct and are incorporated herein by this reference.

Section 2. That the Planning Commission has reviewed a staff report which explains that the proposed vacation is consistent with the Land Use and Circulation elements of the General Plan.

Section 3. That the Planning Commission makes the finding and hereby declares that the proposed vacation of that portion of Washington Avenue, as described and depicted on Exhibits "A" and "B," attached hereto and incorporated herein, is consistent with the General Plan.

PASSED, APPROVED AND ADOPTED at a regular meeting of the Planning Commission of the City of Murrieta, California, held on the 8th day of July, 2026.

APPROVED:

Planning Commission Chairperson

ATTEST:

Carl Stiehl, City Planner

I, Carl Stiehl, City Planner, City of Murrieta, California do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the 8th day of July, 2026 by the following roll call vote:

AYES:

NOES:

ABSENT:

ABSTAINED:

Carl Stiehl, City Planner

EXHIBIT “A”

LEGAL DESCRIPTION RIGHT-OF-WAY VACATION

A PORTION OF LOT “A”, TOGETHER WITH A PORTION OF PARCEL 3 OF PARCEL MAP 7704, IN THE CITY OF MURRIETA, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, AS PER MAP RECORDED IN BOOK 28, PAGE 37, OF PARCEL MAPS, IN THE OFFICE OF THE COUNTY RECORDER SAID RIVERSIDE COUNTY, CALIFORNIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS AND ILLUSTRATED ON EXHIBIT ‘B’ ATTACHED HERETO AND MADE A PART OF THIS DOCUMENT:

BEGINNING AT THE SOUTHERLY CORNER OF SAID PARCEL 3;

THENCE ALONG THE SOUTHWESTERLY LINE OF SAID PARCEL 3, NORTH 42°14'47" WEST, A DISTANCE OF 175.84 FEET TO A POINT ON A LINE THAT LIES PARALLEL WITH AND 10.25 FEET EASTERLY OF THE WESTERLY LINE OF SAID PARCEL 3 AT THE INTERSECTION OF WASHINGTON AVENUE AND KALMIA STREET;

THENCE LEAVING SAID SOUTHWESTERLY LINE OF PARCEL 3 ALONG SAID PARALLEL LINE, NORTH 02°45'16" EAST, A DISTANCE OF 53.03 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL 3;

THENCE ALONG SAID NORTHWESTERLY LINE, SOUTH 47°45'20" WEST, A DISTANCE OF 14.50 FEET TO THE NORTHERLY END OF SAID WESTERLY LINE OF PARCEL 3 AT THE INTERSECTION OF WASHINGTON AVENUE AND KALMIA STREET;

THENCE ALONG SAID WESTERLY LINE, SOUTH 02°45'16" WEST, A DISTANCE OF 53.74 FEET TO A POINT ON THE SOUTHWESTERLY LINE OF SAID LOT “A” OF PARCEL MAP 7704;

THENCE ALONG SAID SOUTHWESTERLY LINE, SOUTH 42°14'47" EAST A DISTANCE OF 175.34 FEET TO THE INTERSECTION OF SAID SOUTHWESTERLY LINE WITH THE SOUTHWESTERLY PROLONGATION OF THE SOUTHEASTERLY LINE OF SAID PARCEL 3;

THENCE LEAVING SAID SOUTHWESTERLY LINE OF LOT “A” ALONG SAID SOUTHWESTERLY PROLONGATION, NORTH 47°45'20" EAST A DISTANCE OF 15.00 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 3181.05 SQUARE FEET MORE OR LESS.



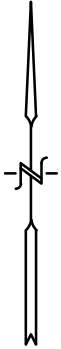
EXHIBIT "B"

RIGHT-OF-WAY VACATION

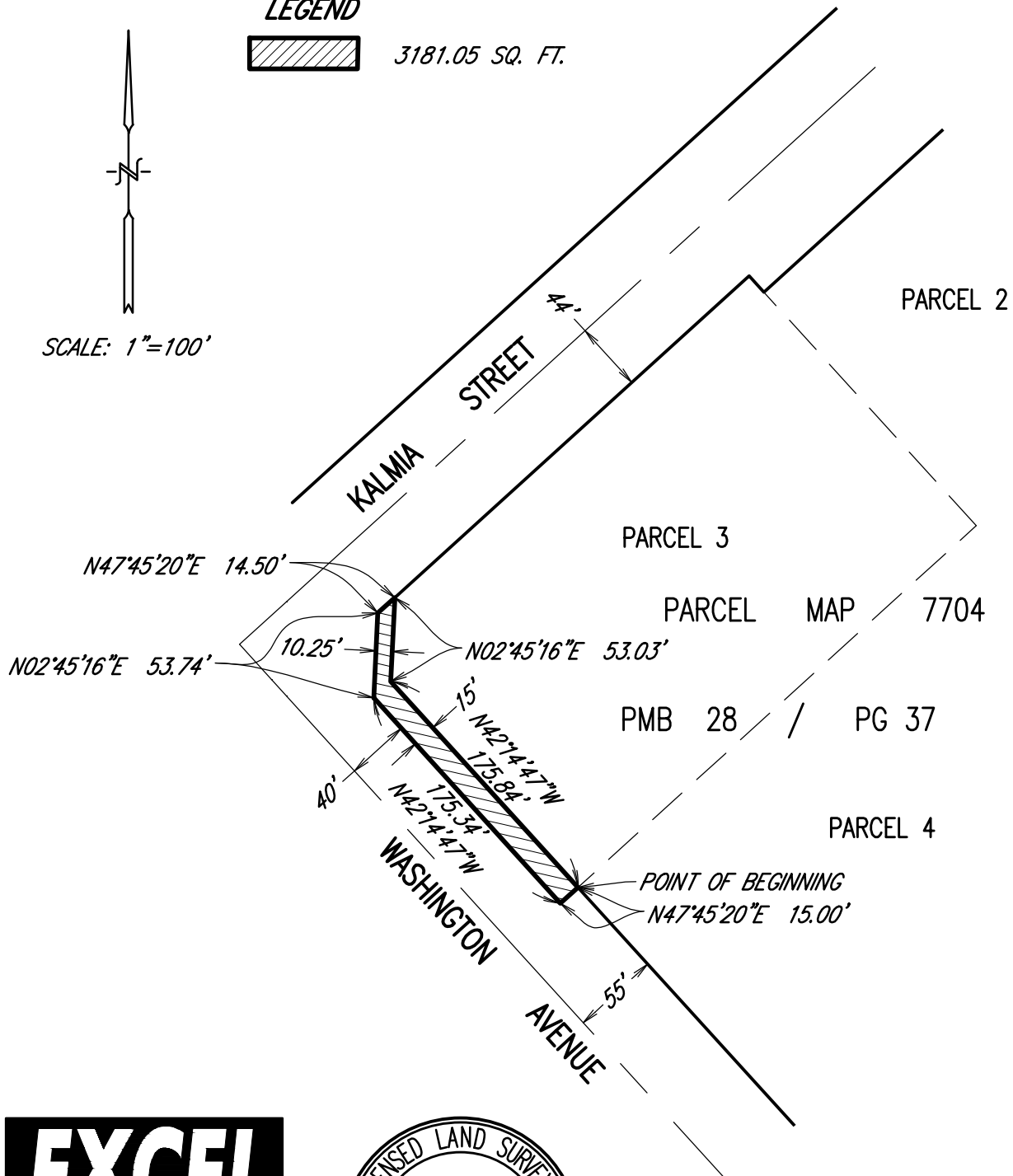
LEGEND



3181.05 SQ. FT.



SCALE: 1"=100'



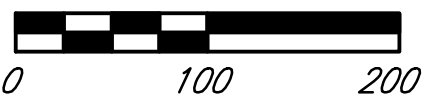
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CITY OF MURRIETA

City Council Meeting Agenda

Report

7/8/2026
Agenda Item No. 3.

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: Carl Stiehl, City Planner

PREPARED BY: Chris Tracy, AICP, Senior Planner

SUBJECT: **Reintroduction of Hillside Updates (DCA-2021-2396) to amend the Murrieta Development Code (Title 16) for the purpose of revising and updating Chapters 16.08, 16.14, 16.18, 16.22, 16.24, 16.28, and adding new Sections 16.24.080, entitled "Exceptions", 16.24.090, entitled "Reserved", and 16.24.100, entitled "Hillside Overlay Map" - Continued from the June 10, 2026 Planning Commission hearing.**

RECOMMENDATION

1. Re-Open the Public Hearing;
2. Accept public testimony;
3. Adopt a Resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2396 RELATED TO CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28.

ENVIRONMENTAL

The proposed action was reviewed for consistency with the citywide Comprehensive Development Code in 1998. These standards were originally evaluated and implemented under the adopted Negative Declaration for implementation of the Comprehensive Development Code on October 28, 1997. These updates have been evaluated for consistency for the current "Project" proposal utilizing this Negative Declaration and the Murrieta General Plan Final FEIR and Subsequent SEIR in 2021 (SCH No. 2010111084), by the City of Murrieta, in accordance with Public Resources Code Section 21166 and California Environmental Quality Act (CEQA) Guidelines Section 15162. Based on this evaluation, staff determined the project would not result in new impacts or changed circumstances that would require a new environmental document, and the previous environmental document adequately covers these modifications (Attachment 4).

PRIOR ACTION/VOTE

See the Background Section of this report.

EXECUTIVE SUMMARY

Since 2022, the City of Murrieta has worked to modernize its hillside development regulations, which have remained largely unchanged for nearly three decades and were often criticized for being subjective and inconsistent. Recognizing that original standards were applied citywide without precise mapping, the City Council initiated a series of workshops between 2022 and 2026 to overhaul the Development Code related to hillside standards. The primary goal of these updates is to replace antiquated formulas and vague criteria with clear, objective standards. By utilizing modern Geographic Information Systems (GIS) technology, the City has established a formal Hillside Overlay Map, ensuring that restrictive regulations, such as a 25% slope threshold, apply only to designated areas rather than citywide, which was never the intention.

The proposed amendments introduce specific technical refinements to improve administrative efficiency and project predictability for both staff and applicants. Key changes include a standardized methodology for measuring building heights on slopes, the elimination of manual average slope calculations in favor of GIS data, and clarified requirements for retaining walls, landscaping, and fuel modification zones for fire safety. While the Council opted to defer a comprehensive citywide retaining wall update to a separate future ordinance, the current modifications incorporate higher-quality design guidelines, such as muted color palettes and tiered landscaping, to mitigate visual impacts on the natural landscape. These updates represent a significant shift toward transparency and regulatory clarity, aligning local code with state housing laws while balancing private property rights with the preservation of Murrieta's scenic hillside character.

BACKGROUND

On May 13, 2026, the Planning Commission conducted a duly noticed public hearing to consider a proposed Development Code Amendment (DCA-2021-2396) related to hillside development regulations. During that meeting, the Planning Commission closed the public hearing but continued the item to allow staff additional time to further clarify the definitions of "developed" (related context to "disturbed") and "undeveloped" (related context to "undisturbed") hillside areas. These refinements have since been incorporated into the draft Ordinance.

The following information depicts the revised table as it relates to the topic of **"Developed"** and **"Undeveloped"** updates as provided in the draft Ordinance, which can be found in Table 16.24-1 of the draft ordinance:

Topic	Summary of Revision
Hillside Development Permit	Clarifies that a Hillside Development Permit continues to apply to previously undisturbed hillside areas. Work within previously developed portions of a site may qualify for existing permit exemptions, such as limited flatwork, pools, spas, and similar improvements involving 50 cubic yards or less of earthwork.
Evidence of a Developed Site	Identifies objective records that may be used to establish that an area was previously developed, including grading permits, approved grading plans, building permits, and certificates of occupancy.
Agricultural Uses	Clarifies that agricultural activities and improvements, such as orchards, vineyards, grazing, irrigation systems, fencing, and agricultural access roads, do not by themselves establish that a hillside area is considered developed.

Sites Without Permit History	Establishes a process allowing historical aerial photography to be used when permit records are unavailable. The Director makes the initial determination, with any disagreement referred to the Planning Commission for a final decision.
Grading Permits	Clarifies that grading permit requirements continue to depend on the extent of proposed earthwork, while distinguishing how developed and undeveloped portions of a property are evaluated under the City's existing grading regulations.
Fine Grading and Drainage Review	Clarifies that developed portions of a site remain subject to City Engineer review when required under the Municipal Code.
ADUs and Accessory Structures	Confirms that state law tolling provisions continue to apply to ADUs requiring discretionary approvals and clarifies that larger accessory structures remain subject to Hillside Development Permit requirements.
Hillside Design Standards	Confirms that all development within designated hillside areas remains subject to the applicable hillside design standards regardless of whether portions of the site are previously developed.
Definitions	Adds new definitions for "Developed," "Undeveloped," and clarifies the treatment of agricultural uses to improve consistency and reduce subjectivity in ordinance administration.

The affected development activity based on the updated draft ordinance language is identified below. Staff notes the Planning Commission can adjust any of the parameters to allow further development without a Hillside Development Permit, however the hillside development standards would still apply. Exempting properties from the Hillside Overlay area would require further analysis by staff.

Activity	Threshold	Result
Flatwork, pools, spas, and similar improvements within a previously developed area	≤ 50 cubic yards of earthwork	Exempt from a Hillside Development Permit, provided the work occurs in a legally developed/disturbed portion of the site and otherwise qualifies under the Municipal Code exemptions.
Grading within developed portions of a site	> 50 cubic yards of earthwork	Reviewed under the City's grading ordinance. A grading permit is required unless the work qualifies for an exemption determined by the City Engineer.
Fine Grade & Drainage Review	≤ 50 cubic yards of earthwork	Required only when the grading ordinance requires City Engineer review; otherwise exempt.
Accessory Dwelling Units (ADUs)	No size threshold, but triggered if over 50 cubic yards of grading is proposed.	ADU processing is tolled while any required discretionary approvals (such as grading permits) are completed, consistent with state law.
Accessory Structures	1,000 square feet or greater	Requires a Hillside Development Permit.
Agricultural improvements	Not threshold-based	Agricultural improvements (e.g., orchards, vineyards, grazing, irrigation, fencing, agricultural access roads) do not establish a "developed" hillside condition by themselves.

In addition, staff proposes the following new definitions based on feedback from May 13th Planning

Commission:

Agricultural Use. “Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.

Developed. Means land that has been altered from its natural state through grading, excavation, fill placement, construction, paving, landscaping, or installation of infrastructure improvements.

Undeveloped. Means land within a hillside area that remains in a substantially natural state and has not been significantly altered by grading, construction, paving, or installation of infrastructure improvements.

Rounding

In response to the discussion at the May 13th Planning Commission meeting on the question of rounding a property’s average slope calculation, the proposed ordinance includes language indicating that slope calculations are not to be rounded to the nearest whole number. Accordingly, the changes below to Table 16.24-2 are proposed.

TABLE 16.24-2
HILLSIDE DEVELOPMENT STANDARDS

% Natural Slope Category	Standards
Up to Under 25%	This is not considered a hillside condition. <u>Please note that slope calculations shall not be rounded to the nearest whole number</u>
25% and Over up to but less than 50%	This is a hillside condition. Development within this slope category is limited to the less visually prominent slopes <u>slopes of a subject site, and then only</u> where it can be shown <u>demonstrated</u> that grading <u>grading</u> , vegetation removal, safety, and environmental and aesthetic, and other environmental impacts are <u>can be</u> minimized. Potential impacts of from site access and roadways shall be minimized by following natural contours <u>contours</u> or using grade separations. Proposed structures shall blend with the natural landform through their shape, material, and utilization of natural occurring color(s). <u>Special hillside architectural and design techniques are required, which may include the use of larger lots, variable setbacks, and variable building structural techniques and clustering. Padded building sites may be considered in some instances. Where this occurs, the commission may consider padded building sites adjacent to special features when it is found that grading of padded building sites will create a better relationship between the special feature(s) and the building sites.</u> <u>Please note that slope calculations shall not be rounded to the nearest whole number.</u>
50% and over ⁽¹⁾	This is an excessive slope condition, and development is prohibited.
	⁽¹⁾ <u>This applies to the property as a whole.</u>

In addition, during public testimony and as provided in written form later, a stakeholder suggested replacing the term "encourage" with "reasonably consider" in several provisions of Murrieta Development Code Section 16.24.010, noting that the latter more accurately reflects the procedural nature of the standards (Attachment 5). Staff reviewed the suggestion and did not identify any concerns with the proposed revision. Staff appreciates the stakeholder's input and has incorporated the recommended change into the draft Ordinance at Section 16.24.010 which has been modified as depicted below:

- C. ~~Encouraging~~ Reasonably consider development proposals that feature water conservation and aquifer recharge techniques;
- D. ~~Encouraging~~ Reasonably consider development proposals that are sensitive to fire, flood, slide, *erosion*, pollution, or other safety hazards;
- E. ~~Encouraging~~ Reasonably consider sensitive development through flexible design and innovative arrangement of building sites by utilizing variable lot sizes, clustering, and setback variations;
- G. ~~Encouraging~~ Reasonably consider developments that incorporate desirable existing features of land (e.g., natural vegetation, viewsheds, topographic features);

Please note that this item was originally continued to the June 10, 2026, Planning Commission meeting. However, due to a lack of quorum, the meeting was not held, and the item was subsequently continued to the current hearing date.

For additional background and details regarding the proposed Ordinance amendments, please refer to the May 13, 2026, Planning Commission Staff Report (Attachment 6), and also see Attachment 7.

ATTACHMENTS

- Attachment 1 - Hillside Updates Resolution
- Attachment 2 - Exhibit A - Hillside Updates Ord. Clean Title 16
- Attachment 3 - Exhibit B - Hillside Updates Ord. Redline Title 16
- Attachment 4 - Hillside Updates - 15162 Consistency Analysis
- Attachment 5 - Stakeholder Correspondence from Kassen Klein
- Attachment 6 - May 13, 2026 - PC Staff Report
- Attachment 7 - Hillside Updates PC Public Notice - Continued to July 8, 2026

RESOLUTION NO. 26-_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2396 RELATED TO CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

WHEREAS, on May 13, 2026, following public testimony and deliberation regarding various components of the proposed hillside regulations, the Planning Commission continued consideration of the item to allow staff additional time to refine the definitions of *developed* (disturbed) and *undeveloped* (undisturbed) hillside areas, which have since been incorporated into the draft Ordinance; and staff further incorporated stakeholder-recommended revisions, including replacing the term "encourage" with "reasonably consider" in Section 16.24.010 (Purpose) and clarifying the methodology for rounding slope percentages when determining whether a property constitutes a hillside condition under the Ordinance; and,

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

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

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

FACTS: The Development Code is the primary tool for implementing the General Plan, providing regulating standards, identification of permitted uses, and other regulations that support the proper implementation of the General Plan Conservation, Land Use and related Elements. This Development Code Amendment updates and amends Chapters 16.08, 16.14, 16.18, 16.22, 16.24, and 16.28 in order to provide accurate and consistent information throughout the City's Development Code.

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

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

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

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

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

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

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

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

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

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

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

3. No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the ND was adopted and certification of the EIR occurred, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous ND and EIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous ND and EIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternative; or (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous ND and EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

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

PASSED, APPROVED, AND ADOPTED at a regular meeting of the Planning Commission of the City of Murrieta, California, held on this 8th day of July, 2026.

APPROVED:

Planning Commission Chairperson

ATTEST:

Carl Stiehl, City Planner

I, Carl Stiehl, City Planner, City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the 8th day of July 2026 by the following roll call vote:

MOTION MADE BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

AYES: _____

NOES: _____

ABSENT: _____

ABSTAIN: _____

**ATTACHMENT 2 –
EXHIBIT “A”**

CLEAN**ORDINANCE NO. 26-__****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, AMENDING TITLE 16 OF THE MURRIETA MUNICIPAL CODE TO AMEND THE CITY'S DEVELOPMENT CODE CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28. RELATED TO HILLSIDE DEVELOPMENT STANDARDS**

Summary: This Ordinance updates the City's existing hillside regulations to promote and guide the orderly development of hillside areas through standards, which are specifically designed to address the unique challenges of such terrain. These updated regulations include, but are not limited to, provisions related to the measurement of building height on a slope with new graphics, clarification of applicability of a hillside area, the basis for a slope determination, when a hillside development permit is required, undeveloped and developed review criteria and applicability, updated definitions, hillside application materials, review procedures, slope grading techniques, the placement and height of retaining walls in hillside areas, site access, aesthetic and landscape treatments, exceptions to a permit, and incorporation of new hillside overlay into the municipal code.

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

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

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

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

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

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

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

WHEREAS, on January 25th, 2023, the City held a second public workshop at its Planning Commission meeting to provide and receive input from local residents and the Commission concerning hillside development standards in the City. Areas that were covered were inclusive of existing and proposed Hillside Overlay applicability, height allowances for structures, height measurement criteria, hillside slope applicability, average slope calculation, Prominent Ridgeline Overlay, and retaining wall criteria. The other items presented by staff were potential techniques to improve the readability of the existing Murrieta Municipal Code (MMC), examples of graphic exhibits that could be incorporated, highlights of areas to resolve code inconsistencies, ways to incorporate best practices, and suggestions from staff on how to simplify the standards to make them more user-friendly to both staff and applicants; and

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

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

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

WHEREAS, on March 5, 2024, the City Council hosted a second workshop on this item. The discussion centered on a potential review process for retaining walls, clarifying building

height measurements on sloped terrain, and ensuring the "Hillside Overlay" maps accurately reflect local topography to avoid unnecessary burdens on flat-land homeowners. Crucially, the Council worked to harmonize aesthetic screening requirements with mandatory state fire safety and fuel modification mandates, prioritizing the protection of prominent ridgelines while ensuring the code aligns with current California law. Due to additional time needed for the discussion and feedback, the workshop was continued for a second time; and

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

WHEREAS, on October 21, 2025, the City Council held its fourth workshop on this item. The discussion centered on the following areas, where the Council reached consensus on key Focus Topics with the Applicability of Standards; Identifying The City's Hillside Areas: 20 Percent Slope Versus 25 Percent; 25 Percent Slope Criteria; Specific Plans; and the use of Geographic Info. Systems (GIS) And Average Slope Formula; and

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

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

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

SECTION 1. Section 16.08.020 (Residential Districts General Development Standards), Table 16.08-03 (Residential (Single-Family) Zones General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

TABLE 16.08-3 RESIDENTIAL (SINGLE-FAMILY) ZONES GENERAL DEVELOPMENT STANDARDS						
Development Feature	RR	ER-1	ER-2	ER-3	SF-1	SF-2⁽³⁾
Minimum Parcel Size	2.5 acres ⁽²⁾	1.0 acres	0.5 acres ⁽¹⁾	10,000 sq. ft.	7,200 sq. ft.	4,350 sq. ft.
Density Range	0.1 - 0.4 dus/acre	0.4 - 1.0 dus/acre	1.0 - 2.0 dus/acre	2.0 - 3.0 dus/acre	2.1 - 5.0 dus/acre	5.1 - 10.0 dus/acre
Minimum Parcel Width	100 feet	100 feet	100 feet	70 feet	70 feet	55 feet, 45 feet for parcels less than 5,000 square feet. This parcel width shall be increased to a 50 foot width for every fifth lot on a non-cul-de-sac parcel street frontage.
Minimum Livable Area	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Setbacks						
Front	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Interior	20 feet	20 feet	20 feet	10 feet	10 feet	7.5 feet per side. For parcels less than 5,000 sq. ft. = A minimum of an average of 12 feet overall for the combination on of both interior sides with no side setback of less than 5 feet.
Street Side	20 feet	20 feet	20 feet	20 feet	20 feet	10 feet
Rear	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory Structures	Consistent with Section 16.44.150					

Maximum Parcel Coverage	25%	25%	35%	35%	35% for two- story; 45% for single story	50%
Maximum Building Height	40 feet ⁽⁴⁾	40 feet ⁽⁴⁾	40 feet ⁽⁴⁾	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾
Minimum On-site Landscaping	25% of front yard area					
Small Attached Unit Configuration	Refer to Section 16.16.020 “Planned Residential Development General Standards” for development standards and project review and 16.16.030 “Planned Residential Development Design Standards and Parameters.”					
Notes: (1) A forty (40) foot wide buffer shall be provided along Washington Avenue (from Guava to Elm Street) in the public right-of-way. Landscaping to include six-foot high block wall, pedestrian trails and/or sidewalk, and landscaping berms to act as natural buffers. New residential projects will be allowed to access from Washington Avenue with residential lots abutting Washington Avenue are prohibited from taking direct access from Washington Avenue. (2) The minimum parcel area for properties zoned RR can include adjacent area to the centerline of the public street right-of-way. (3) For projects proposing a clustering configuration with detached single-family homes or within small attached unit configurations, please see 16.16.020 “Planned Residential Development General Standards” and 16.16.030 “Planned Residential Development Design Standards and Parameters” for requirements. (4) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.						

“

SECTION 2. Section 16.08.020 (Residential Districts General Development Standards), Table 16.08-04 (Residential (Multi-Family) Zones General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

TABLE 16.08-4 RESIDENTIAL (MULTI-FAMILY) ZONES GENERAL DEVELOPMENT STANDARDS				
Development Feature	MF-1 ⁽⁵⁾	MF-2	MF-3	MF-4
Minimum Parcel Size	5 acres	5 acres	5 acres	5 acres
Minimum Parcel Width	100 feet	100 feet	100 feet	100 feet
Density Range	10.1 - 15 du/acre	15.1 - 18.0 du/acre	18.1-29.0 du-acre	Min. 30 du/acre
Minimum Livable Area	500 sq. ft.	500 sq. ft.	500 sq. ft.	500 sq. ft.
Setbacks				
Street	10 feet	10 feet	10 feet	10 feet
Interior	10 feet	10 feet	10 feet	10 feet
Maximum Parcel Coverage	35%	35%	50%	None
Maximum Height Limit	50 feet	50 feet	60 feet	100 feet
Open Space (per dwelling unit)				
Private Open Space	60 sq. ft./upper floor 100 sq. ft./ground floor	60 sq. ft./upper floor 100 sq. ft./ground floor	All units 50 sq. ft. ⁽²⁾	All units 50 sq. ft. ⁽²⁾
Common Open Space	200 sq. ft.	200 sq. ft.	150 sq. ft. ⁽³⁾	150 sq. ft. ⁽³⁾
Recreational Amenities			For projects containing 25 or more dwelling units, provide one recreational amenity for each 30 dwelling units or fraction thereof ⁽⁴⁾	For projects containing 25 or more dwelling units, provide one recreational amenity for each 30 dwelling units or fraction thereof ⁽⁴⁾
Minimum On-site Landscaping	10% of the site area			
Notes:				
(1) When adjacent to existing single-family residential use or zone, the building setback from the nearest property line shall be 10 feet for the first 25 feet in height, above 25 feet in height the setback shall be 20 feet, and above 50 feet, the setback shall be 30 feet.				
(2) For stand-alone multi-family residential projects or as part of a mixed-use development, each residential unit shall be provided with at least one area of private open space accessible directly from				

the living area of the unit, in the form of fenced yard or patio, a deck or balcony at a minimum area of 50 square feet. The minimum dimension, width or depth of a balcony shall be 5 feet.

(3) All common open space shall be conveniently located and accessible to all dwelling units on the site. Common open space may include landscaping, pedestrian paths and recreational amenities. In projects containing fewer than 10 units, the common open space shall have a minimum width and depth of 10 feet. In projects containing 10 or more units, the minimum width and depth shall be 20 feet.

(4) One common recreational amenity shall be provided for each 30 units or fraction thereof. The following listed amenities satisfy the above recreational facilities requirements. Recognizing that certain facilities serve more people than others, have a wider interest or appeal, and/or occupy more area, specified items may be counted as two amenities, as noted. In all cases, each square foot of land area devoted to a recreational amenity shall be credited as common open space on a 1:1 basis.

- a. Clubhouse (two)
- b. Swimming Pool (two)
- c. Tennis, Basketball or Racquetball court
- d. Weightlifting facility
- e. Children's playground equipment
- f. Sauna or Jacuzzi
- g. Day Care Facility (two)
- h. Other recreational amenities deemed adequate by the director.

(5) For projects proposing a clustering configuration with detached single-family homes or within small attached unit configurations, please see [16.16.020](#) "Planned Residential Development General Standards" and [16.16.030](#) "Planned Residential Development Design Standards and Parameters" for requirements.

(6) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.

“

SECTION 3. Section 16.14.010 (Purpose), Table 16.14-2 (Special Purpose Districts General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“

TABLE 16.14-2 SPECIAL PURPOSE DISTRICTS GENERAL DEVELOPMENT STANDARDS			
Development Feature	P&R	C&I	OS
Setbacks			
Street	25 feet	25 feet	25 feet
Interior	20 feet	20 feet	20 feet
From Abutting Residential District	15 feet		
Accessory Structures	Same as Primary Structure		
Maximum Height Limit ⁽¹⁾	35 feet ⁽¹⁾	50 feet ⁽¹⁾	35 feet ⁽¹⁾
(1) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.			

“

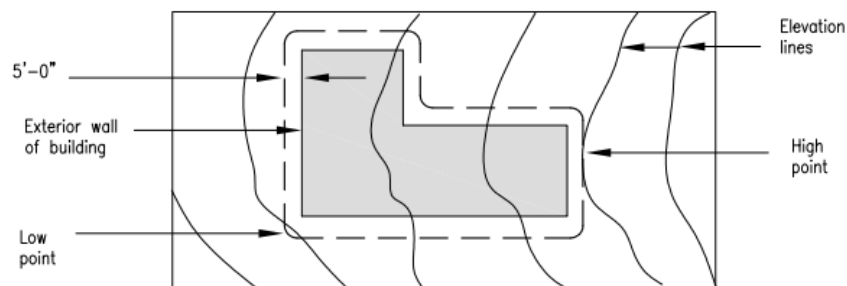
SECTION 4. Section 16.18.080 (Height Measurement and Height Limit Exceptions) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with [Chapter 16.22](#) (Fences, Hedges, and Walls).

A. Maximum Height. The height of structures shall not exceed the standard established by the applicable zoning district in Article II (Zoning Districts and Allowable Land Uses) or for structures within a Hillside Area under Section 16.24.020.A. In addition, the maximum height for structures on a specific parcel shall be measured as follows:

1. Establishing the high point and low point on the property as reference grade points as follows:

- a. A measurement is taken from the lower of existing or proposed grade, 5 feet away from the lowest grade point around the structure in accordance with Figure 16.18-1. This point shall be the low reference grade point. The highest point anywhere on the structure may not exceed the elevation of that low grade point by more than the allowable height plus the grade differential between the low point of structure and high point of structure (excluding items as detailed under Section 16.18.080(B) (Exceptions to Height Limits)), but in such case where the actual grade differential exceeds 10 feet, only a maximum of 10 feet may be added to the maximum allowable height per the zone. The measurement is the difference in elevation between the highest and the lowest adjacent ground elevation surrounding the building.



**FIGURE 16.18-1
MEASUREMENT LOCATIONS**

- b. If the difference in elevation is 10 feet or less, the reference grade point is established at the highest adjacent ground elevation. See Figure 16.18-2. If the difference in elevation is greater than 10 feet, the reference grade point is established at 10 feet above the lowest adjacent ground elevation. See Figure 16.18-3. For stepped or terraced buildings, the building height is the overall height as illustrated in Figures 16.18-4 and Figure 16.18-5.

Height Measurement on a Slope

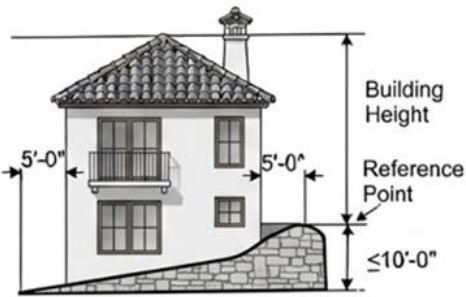


Figure 16.18-2 = $\leq 10'-0''$

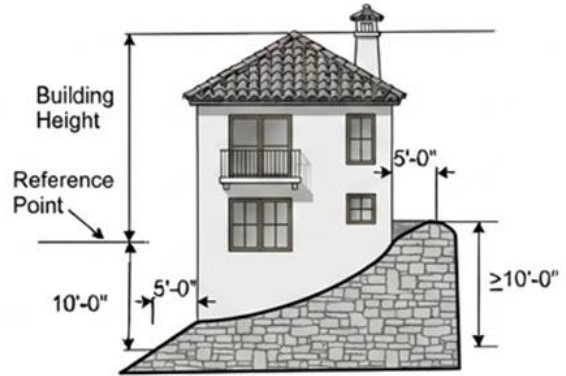


Figure 16.18-3 = $\geq 10'-0''$



Figure 16.18-4 - Stepped Building = $\leq 10'-0''$

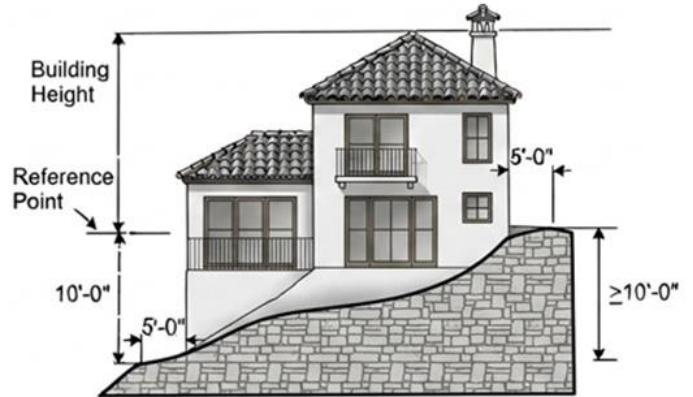


Figure 16.18-5 - Stepped Building = $\geq 10'-0''$

FIGURE(S) 16.18-2, -3, -4, -5 MEASUREMENT CRITERIA

c. For a project with a proposed pad configuration, the height of the structure measured by the vertical distance from the finished grade to the height of the roof line. See Figure 16.18-6.

Height Measurement at a Pad Location

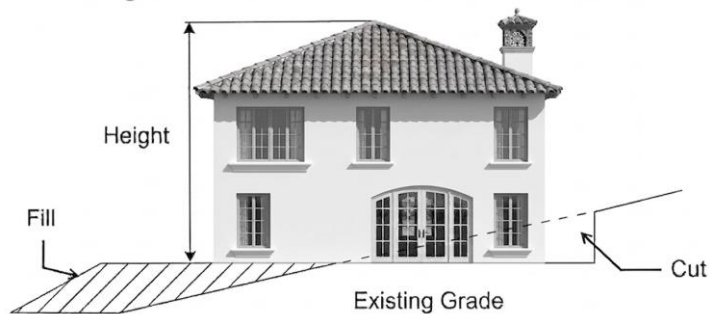


FIGURE 16.18-6

MEASUREMENT WITH PAD CONFIGURATION

B. Exceptions to Height Limits. Exceptions to the height limits identified in this development code shall apply in the following manner:

1. Roof-mounted Features. Roof-mounted features including chimneys, cupolas, clock towers, elevator equipment rooms, equipment enclosures, and similar architectural features shall be allowed, up to a maximum of fifteen (15) feet above the allowed structure height. The total square footage of all structures above the heights allowed in the zoning districts shall not occupy more than twenty-five (25) percent of the total roof area of the structure. Greater height or area coverage may be allowed subject to the approval of a minor conditional use permit in compliance with [Chapter 16.52](#).

2. Parapet Walls. Fire or parapet walls may extend up to four feet above the allowable height limit of the structure.

3. Public Assembly, Hotels, Class "A" Office and Public Structures. Places of public assembly including churches, schools, assembly halls, Class "A" office buildings greater than three (3) stories, hotels and other similar structures may exceed the established height limit by one (1) foot for every two (2) feet that the minimum required front, rear and side yard setbacks are increased. The increase in the front, rear and side yard setbacks is determined by averaging the total of the increased building setbacks at the closest point on all sides. The maximum additional height allowed is thirty (30) feet above the height limit established for the applicable zoning district. This exception shall not apply when the site is adjacent to single-family zoned property. This exception may be used in conjunction with the height exception for rooftop equipment.

4. Telecommunications Facilities. Telecommunication facilities, including antennae, poles, towers, and necessary mechanical appurtenances, may be authorized to exceed the height limit established for the applicable zoning district, subject to the approval of a conditional use permit in compliance with [Chapter 16.52](#).

5. Basement. A basement is defined as a story that has its floor surface below the adjoining finished grade as both conditioned and unconditioned space per the California Building and Residential Codes.” SECTION 5. Section 16.22.050 (Measurement of Fence or Wall Height) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.22.050 Measurement of Fence or Wall Height.

Where there is a difference in the ground level between two adjacent parcels, the height of a fence or wall constructed along the property line shall be determined by using the finish grade of the highest contiguous parcel.”

SECTION 6. Section 16.22.060 (Walls Required Between Different Zoning Districts) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.22.060 Walls Required Between Different Zoning Districts.

Walls shall be provided and maintained between different zoning districts as follows:

A. Where a nonresidential or multi-family zoning district abuts a residential zoning district, a solid masonry wall of six feet in height shall be constructed on the zone boundary line. Walls may be constructed higher than six feet if the viewshed is not impeded and is subject to the approval of the Director;

B. Where a BP or IG zoning district abuts another zoning district, a solid masonry wall six feet in height shall be constructed on the zone boundary line;

C. Walls shall be of solid masonry construction and shall be of a decorative design when in view of public rights-of-way subject to approval of the director; and

D. The director may waive or modify requirements for walls between different zoning districts where a solid masonry wall already exists on the contiguous property if the following findings can be made:

1. The existing wall meets or can be modified to conform to the intent of this chapter;
2. Suitable landscaping can be installed adjacent to the existing wall to supplement and enhance the desired physical separation;
3. The existing wall can be protected to prevent vehicle damage, if necessary, and
4. Concurrence of the adjacent property owner can be obtained, to modify the existing wall to meet the requirements of this chapter.”

SECTION 7. Chapter 16.24 (Hillside Development) is hereby amended in its entirety to read as follows:

“16.24.010 Purpose.

The purpose of this chapter is to provide regulations for the development of areas in the *City* that, because of their topography, require special consideration to ensure that they are developed in a way that substantially maintains their natural character and environmental and aesthetic values to implement the *City’s* General Plan, and to provide for the safety, health, and welfare of the public by:

- A. Providing guidelines and standards for development in visually sensitive *Hillside Areas* to minimize the adverse impacts of *grading* and to promote the goals and objectives of the *City’s* General Plan;
- B. Maintaining an environmental equilibrium consistent with existing vegetation, wildlife, soils, geology, *slopes*, and drainage patterns, and to preserve natural topography and scenic character, including canyons, creeks, knolls, rock outcrops, and ridgelines whenever feasible;
- C. Reasonably consider development proposals that feature water conservation and aquifer recharge techniques;
- D. Reasonably consider development proposals that are sensitive to fire, flood, slide, *erosion*, pollution, or other safety hazards;
- E. Reasonably consider sensitive development through flexible design and innovative arrangement of building sites by utilizing variable lot sizes, clustering, and setback variations;
- F. Utilizing nontraditional design standards for streets and hillside *grading* where development quality and public safety are not affected;
- G. Reasonably consider developments that incorporate desirable existing features of land (e.g., natural vegetation, viewsheds, topographic features);
- H. Protecting significant natural areas for ecologic purposes, educational, and other scientific study purposes; 1. Encouraging the use of drought-tolerant plant material to protect *slopes* from soil *erosion* and slippage, preserve natural watershed, minimize fire hazard, and minimize the scarring and deformation of the natural landscape;
- I. Limiting the impact of *cut slopes* on adjacent developed and undeveloped properties; and
- J. Providing for appropriate intensity of development (e.g., density, massing, etc.) through a variety of design techniques to ensure that development intensity decreases as *slopes* become steeper (e.g., lot sizes appropriate for steeper topography and separation of structures sufficient to preserve a viewshed).

16.24.020 Applicability.

A. Location Consideration for Analysis. Notwithstanding any other provisions of this Code, the standards contained in this chapter apply to uses and structures within Hillside Areas that have a slope twenty-five (25) percent or greater and as designated within the boundaries of a Hillside Overlay Map.

Additionally, please refer to Table 16.24-1 (Undeveloped And Developed Standards And Processing Requirements), Section 16.02.020 (Exemptions from Land Use Permit Requirements), and Section 16.24.080 (Exceptions) for activities and features exempt from review.

B. Basis for Slope Determinations. Slope determinations shall be based upon citywide contour data as provided on the City's website under the Geographic Information System webpage under Interactive Mapping.

C. Development Plan Permit Required. Hillside developments shall be subject to the approval of a development plan permit in compliance with Chapter 16.56, unless exempt per adopted *City* policy or State Law (Example: Accessory Dwelling Unit).

D. Applicability Criteria. The development standards, guidelines, and provisions of this chapter shall be applied to those portions of land with a predominance of natural slopes exceeding twenty-five (25) percent or greater and areas that are integrally contiguous. The provisions of this chapter shall apply to projects relating to subdivisions, permits, uses, structures, specific plans, master development plans, and associated site plans for development review as described under Table 16.24-1 (Undeveloped and Developed Standards and Processing Requirements), except as specifically exempted by Section 16.02.020 (Exemptions from Land Use Permit Requirements), and Section 16.24.080 (Exceptions).

**TABLE 16.24-1
UNDEVELOPED AND DEVELOPED STANDARDS AND PROCESSING REQUIREMENTS**

Feature/Standard	Undeveloped / Natural	Both Undeveloped and Developed Portions of a Hillside Area Site	Developed
Hillside Development Plan Permit	Applies.	Applies to the Undeveloped / Natural portions of the site that were not previously legally disturbed/developed.	Exempt from Permit for Developed Portions where the scope of work involves ≤ 50 cubic yards for flatwork, pools, spas, or other areas of the site that have been legally disturbed, as described under Section 16.02.020 (Exemptions from Land Use Permit Requirements).
		Exempt from Permit for Developed Portions where the scope of work involves ≤ 50 cubic yards for flatwork, pools, spas, or other areas of the site that have been legally disturbed, and as described under Section 16.02.020	

		(Exemptions from Land Use Permit Requirements).	
Permit Evidence for “Developed” Classification	N/A	Grading permits and records, Building Permits / Certificates of Occupancy, Approved Grading Plans	Grading Permits and Records, Building permits / Certificates of Occupancy, Approved Grading Plans
Agricultural Uses as it relates to a “Developed” Classification	N/A	“Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.	“Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.
Evidence for “Developed” Classification without Permit History	N/A	Aerial Imagery. Subject to review by the <i>Director</i> for a determination. If there is a disagreement with the determination, it shall be referred to the	Aerial Imagery. Subject to review by the <i>Director</i> for a determination. If there is a disagreement with the determination, it shall be referred to the

		Planning Commission for a final determination.	Planning Commission for a final determination.
Grading Permit	Applies.	Applies to the Undeveloped / Natural portions of the subject site that were not previously legally disturbed. For the developed portion of a subject site, a grading permit is required if soil disturbance exceeds 50 cubic yards and is determined to be not exempt by the <i>City Engineer</i>, per review of the criteria as described under Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).	Applies if soil disturbance exceeds 50 cubic yards and is determined to be exempt by the <i>City Engineer</i> , per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).
Fine Grade and Drainage Review	N/A	Subject to <i>City Engineer</i> review for the developed portions of the site, unless the Fine Grade and Drainage Review is determined not to be eligible, per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).	Subject to <i>City Engineer</i> review, unless the Fine Grade Drainage Review is determined not to be eligible, per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).
Accessory Dwelling Units (ADUs) & Accessory Structures	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.

	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit
All Projects located in a designated Hillside Area	All components are subject to hillside design standards	All components are subject to hillside design standards	All components are subject to hillside design standards

16.24.030 Definitions.

For the purposes of this chapter the following definitions shall apply:

Agricultural Use. “Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.

City. The City of Murrieta, state of California, referred to in this development code as the “City.”

City Engineer. The director of Public Works/City Engineer of the city or their duly delegated representative.

City Manager. The official employed by an elected council to direct the administration of the City. See Chapter 2.08 “City Manager”

Clearing. The removal of vegetation (grass, brush, trees, and similar plant types) by hand or mechanical means (e.g. brushing, grubbing).

Cluster Development. A concept where structures are grouped on certain portions of a site, frequently of different shapes and sizes, surrounded by large expanses of open space.

Contour. A line drawn on a plan that connects points of equal elevation.

Cut. An act by which soil, sand, gravel, or rock is cut into, dug, quarried, uncovered, removed, or relocated, and shall include the conditions resulting therefrom.

Daylight Line. The line between the finished grade and natural terrain drawn by connecting points where proposed contours meet existing contours.

Developed. Means land that has been altered from its natural state through grading, excavation, fill placement, construction, paving, landscaping, or installation of infrastructure improvements.

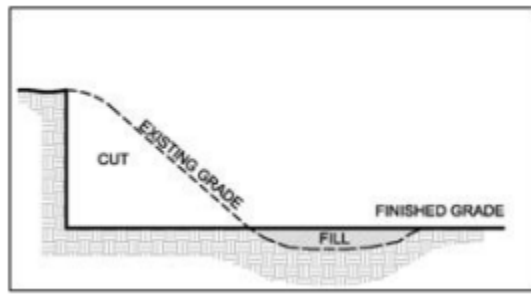
Director. See Section 16.46.050 “Director.”

Elevation. Height or distance above mean sea level.

Erosion. The process by which the soil and rock components are worn away and removed from one place to another by natural forces (e.g., wind, water)

Fill. A deposit of soil, sand, gravel, rock, or other material placed by artificial means.

Finished Grade. The final elevation of the ground surface after development, that is in conformance with approved plans.



Grading. To bring an existing surface to a designed form by excavating, filling, or landforming operations.

Contour Grading. A grading concept designed to result in earth shaping that resembles natural terrain characteristics.

Conventional Grading. A grading concept that results in simple, straight forward, cut and fill lines and even *slopes*.

Landform Grading. A grading method that replicates the irregular shapes of the natural ground surface. Landform graded land surfaces are characterized by continuous series of concave and convex forms interspersed with mounds that blend into profiles, nonlinearity in plan view, varying slope gradients, and significant transition zones, between man-made and natural land surfaces.

Hillside Area. Means those areas specifically designated on a Hillside Overlay Map as adopted by the City Council under Section 16.24.100.

Mass Grading. The movement of large quantities of earth over large areas. Disruption of the majority of the on-site surface terrain resulting in a successive pad/terrace configuration.

Minimal Grading. A grading concept designed to minimize excavation and filling. Allows the movement of earth for projects (e.g., as individual building foundations, driveways, local roads, and utility excavation). The concept is associated with roads conforming closely to natural contours and with structures being built on natural terrain.

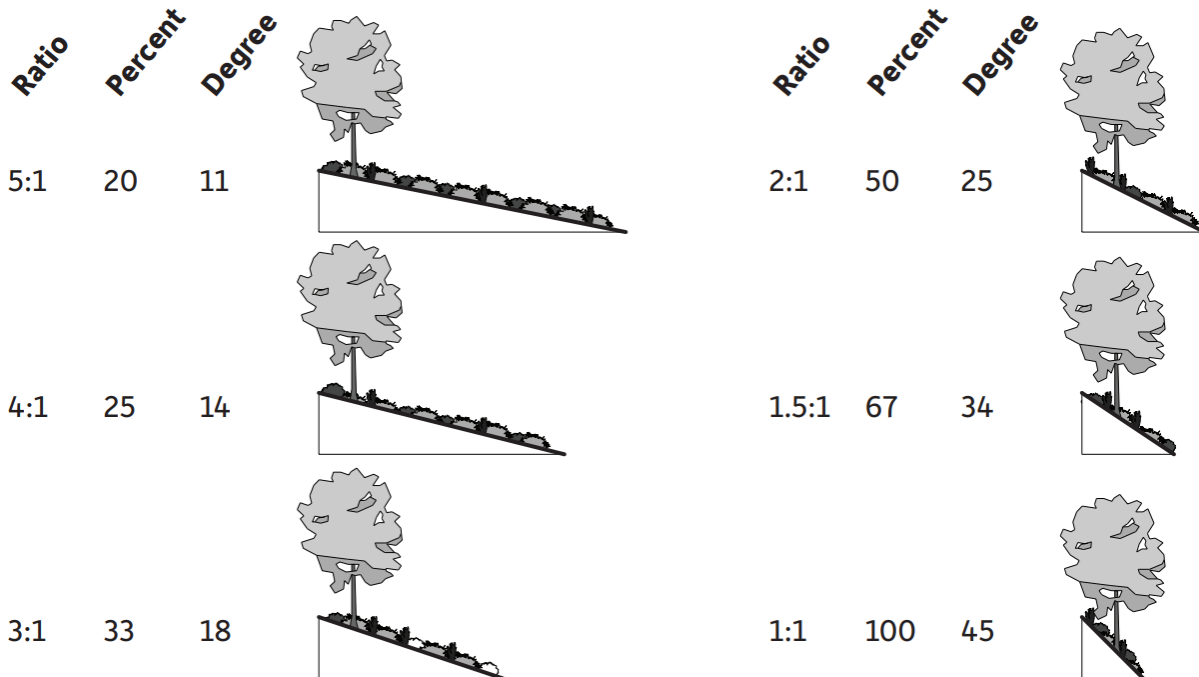
Pad. A level area created by grading to accommodate development.

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

Ridge. An extended, narrow, conspicuous elevation of land generally between valleys.

Slope. An inclined ground surface, the inclination of which is expressed as a ratio of the vertical distance (rise), or change in elevation, to the horizontal distance (run). The percent of a given slope is determined by dividing the rise by the run, multiplied by one hundred (100).

Undeveloped. Means land within a hillside area that remains in a substantially natural state and has not been significantly altered by grading, construction, paving, or installation of infrastructure improvements.



Slope, Man-made. A manufactured slope consisting wholly or partially of either cut or filled material.
Slope, Natural. A slope that is not man-made.

Slope, Natural. A slope that is not man-made that exceeds twenty-five (25) percent.

Slope Ratio. The relationship of a slope's horizontal length to vertical height, with the height specified as one (e.g. 2:1).

Slope Transition. The area where a slope plane changes to meet the natural terrain or a level graded area either vertically or horizontally.

16.24.040 Application Submittal Requirements.

Applications for development shall comply with the submittal requirements of this chapter. When a development project is a specific plan or master development plan, the submittal requirements shall be incorporated in the appropriate sections of the corresponding documents. If adequate detailed studies are provided with the specific plan and/or master development plan, subsequent implementing development applications shall be reviewed for substantial conformance with these plans.

Application filing requirements are as follows:

A. Natural Features Map. This map shall identify slope banks, ridgelines, canyons, natural drainage courses, United States Geological Survey (U.S.G.S.) blue-line streams, rock outcroppings, sensitive biological habitats, cultural resources, and other natural features for the purposes of project review and California Environmental Quality Act (CEQA) analysis.

B. Overall Conceptual Grading Plan. An overall conceptual *grading* plan shall be submitted at a minimum scale of one (1) inch equals twenty (20) feet). The plan shall include the following items:

1. A legend with symbols identifying the following, but not limited to: high point, low point, spot elevations, *pad*, top of wall, top of footing, top of curb, top of ground surface on both sides of a retaining wall, and planned drainage improvements;
2. A separate map shall be provided with proposed *cut* and *fill* areas, depths of these identified areas shown in five-foot topographic lines. Quantities of each *cut* and *fill* area shall be identified and calculated as a percentage of the total site area. The *cut* and *fill* areas shall be either colored green and red, cross-hatched, or screened to delineate each respective area;
3. *Contours* for existing and proposed topographic conditions shall be provided within submitted plan exhibits. Existing *contours* shall be depicted with continuous screened lines and proposed *contours* shall be depicted as above except with a solid line. *Contours* shall be shown at minimum intervals of two feet of change in elevation. Elevations of less than two feet shall be depicted with spot elevations; and
4. Additional information as required to assist with review of the project.

C. Drainage Map. A conceptual drainage and flood control facilities map describing planned drainage improvements. The map shall utilize *City* standards or an acceptable alternate as determined by the *City Engineer* or their designee.

D. Slope Profile Drawings. Cross-section slope profiles shall be included with the slope analysis. Additional profiles may be required as determined by the *City Engineer* or their designee. The slope profiles shall:

1. Be drawn at the same scale and indexed, or keyed, to the slope analysis map, *grading* plan, and project site map. Both vertical and horizontal scales shall be indicated;

2. Show existing and proposed topography, structures, and infrastructure. Proposed topography, structures, and infrastructures shall be drawn with a thin, solid line. Existing topography and features shall be drawn with a dashed line;

3. Extend at a minimum of one hundred (100) feet outside the project site boundary to clearly show the impact on adjacent property. Additional distance may be necessary to determine off-site terrain and features;

4. Be drawn along those portions of the subject site where:

- a. The greatest portion of the site where alteration of existing topography is proposed;
- b. The most intensive or massive portion of the site where development is proposed (e.g. where structures are proposed);
- c. Where proposed *grading* would potentially impact existing natural drainage conditions.

5. At least two of the slope profiles shall be roughly parallel to each other and roughly perpendicular to existing *contour* lines. At least one other slope profile shall be roughly at a ninety (90) degree angle to the other slope profiles and existing contour lines.

F. Indicate Source of Data. Indicate the datum, source, data, and scale.

G. Geotechnical Report. A geotechnical and soils report shall be prepared by a registered geotechnical engineer to *City* standards and provide in sufficient detail to substantiate and support the design concepts presented in the application. Additional environmental technical studies and investigations, including, but not limited to, hydrologic, seismic, access/circulation, cultural, tribal cultural, and biological resources may be required to help in the determination of the buildable area of a subject site for consistency with project review and for California Environmental Quality Act (CEQA) analysis.

H. Objective Design Guidelines. Objective design guidelines shall be provided for projects that are to be reviewed by the Planning Commission. Otherwise, illustrative building *elevations* showing all sides of the structure shall be provided.

I. No Grading Proposed. See 16.24.080 (Exceptions) for applicability.

J. Additional Information. The following items may be required if determined necessary by the *City Engineer* or their designee to aid in the analysis of the proposed project:

1. A line of sight or view analysis;
2. Photographic and/or computer-generated graphic renderings; or
3. A topographic model and/or large-scale detailed partial model;

16.24.050 Project Review Procedures.

Projects within designated hillside areas shall be subject to review and approval by the director or the commission in compliance with the provisions of this chapter.

A. Director Approval. The director shall approve, approve with conditions, or deny development proposal applications when the following conditions apply:

1. Development plan permits;
2. Extensions of time; or
3. Building permit reviews.

B. Commission Approval. The commission shall approve, approve with conditions, or deny development proposal applications when one or more of the following conditions apply:

1. When padded building sites are proposed, or
2. Proposals referred to the commission by the director.

C. Modification of Requirements. The commission may modify or waive a development standard:

1. When an improved or more environmentally sensitive design would result. Further, where it can be demonstrated that imposing the objective hillside development standards would either render a parcel unbuildable and create a loss of its reasonable economic use, or place an undue restriction on the improvement of the property, development consistent with the *City's* General Plan shall be allowed subject to approval by the Planning Commission, if the following findings can be made:
 - a. The site is physically suitable for the design and siting of the proposed development. The proposed development will result in minimum disturbance of environmentally sensitive areas;
 - b. The *grading* in connection with the development would not result in soil *erosion*, silting of lower *slopes*, flooding, severe scarring, create other geological instability conditions, or a fire hazard condition that would affect the public's health, safety and general welfare for the *City*, as determined by the City Engineer.

16.24.060 Hillside Development Standards.

The following are minimum standards and shall apply to a use, development, or alteration of land in compliance with Section [16.24.020](#) (Applicability). These standards are supplemented by the provisions of the development guidelines contained in Section [16.24.070](#) (Hillside Development Guidelines) of this chapter.

A. Hillside Slope Categories. The following categories serve as guidelines for determining the applicability of hillside conditions at a subject site.

**TABLE 16.24-2
HILLSIDE DEVELOPMENT STANDARDS**

% Natural Slope Category	Standards
--------------------------------	-----------

Under 25%	This is not considered a hillside condition. Please note that slope calculations shall not be rounded to the nearest whole number.
25% and Over but less than 50%	This is a hillside condition. Development within this slope category is limited to the less visually prominent <i>slopes</i> of a subject site, where it can be demonstrated that <i>grading</i> , vegetation removal, safety, aesthetic, and other environmental impacts are minimized. Potential impacts from site access and roadways shall be minimized by following natural <i>contours</i> or using grade separations. Proposed structures shall blend with the natural landform through their shape, material, and utilization of natural occurring color(s). Please note that slope calculations shall not be rounded to the nearest whole number.
50% and over ⁽¹⁾	This is an excessive slope condition, and development is prohibited.
	⁽¹⁾ This applies to the property as a whole.

B. Site Design.

1. Projects shall incorporate clustering, variable setbacks, multiple orientations, and other site planning techniques to preserve open spaces, protect natural features, and offer views to residents.

2. When clustering techniques are utilized, the minimum lot sizes may be decreased to five thousand (5,000) square feet when it is necessary to preserve sensitive lands (e.g., hillsides, creeks, habitat areas, etc.). Lots may be allowed smaller than five thousand (5,000) square feet, but not smaller than four thousand (4,000) square feet, for up to twenty (20) percent of the total approved lots and only under an approved specific plan when necessary to preserve sensitive and Hillside Areas. Lots under five thousand (5,000) square feet are prohibited in slope areas of twenty-five (25) percent or greater.

C. Driveways and Roadways.

1. Driveways shall be designed in a manner as to when a vehicle is entering a public and /or private streets, adequate sight distance shall be maintained as determined by the *City Engineer* or their designee.

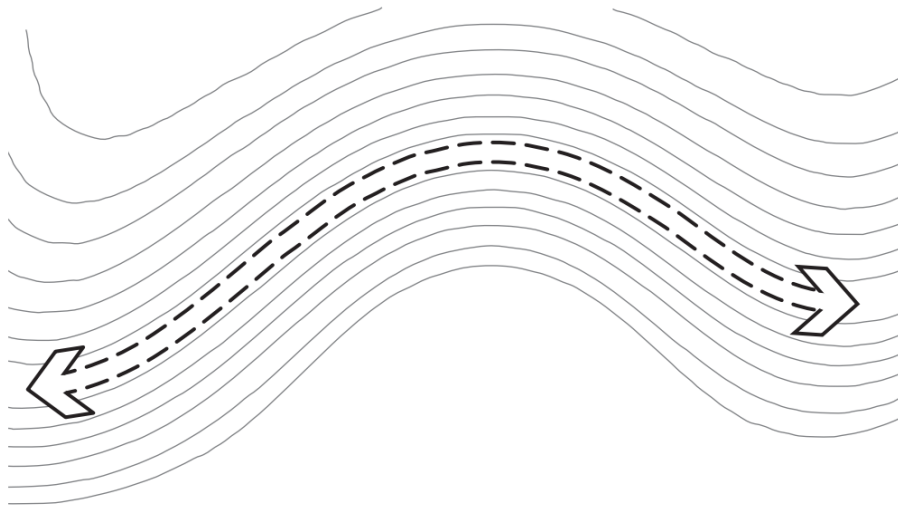
2. Driveways shall not be located within three feet of a side property line. Exceptions to this standard may be considered based on lot size, percentage of slope, drainage facilities and use as a common driveway by the *City Engineer* or their designee.

3. Only *slopes* less than fifty (50) percent (2:1) shall be permitted adjacent to driveways.

4. Driveway grades above fifteen (15) percent may only be considered by the *City Engineer* or their designee when driveways are aligned with the natural *contours* of the land, and are necessary to achieve site design, and safety considerations to the satisfaction of the building and safety official, City Engineer, or designee, and fire code official. Design considerations shall be employed, including the use of vertical curves. On proposed driveways with a slope greater than fifteen (15) percent, a coarse, all-weather paving material (e.g. asphalt or concrete), or grooves for traction, shall be incorporated into the design.

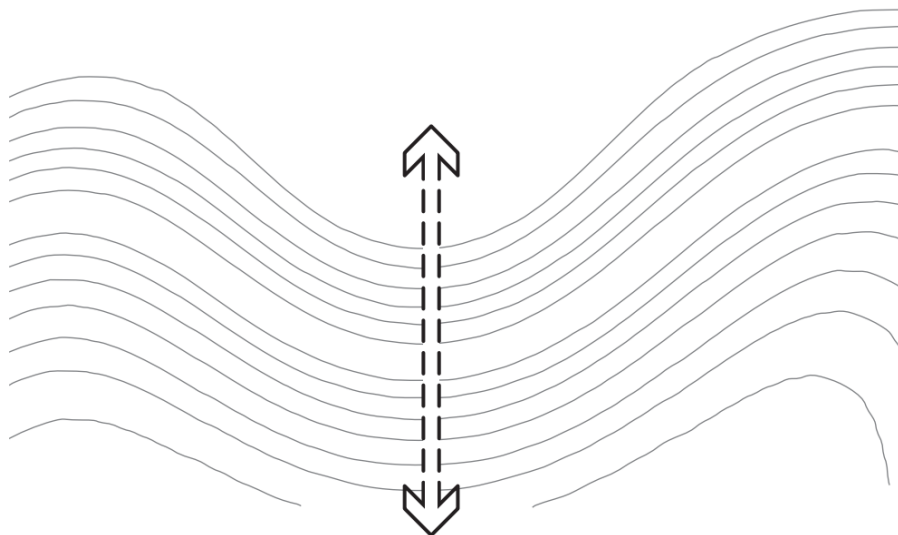
5. Roadways shall conform to the natural landform. Significant alterations to the physical and visual character of a hillside shall be avoided by eliminating large notches in ridgelines and wide straight alignments. Modified or reduced-width road sections and split sections shall be considered in the layout of hillside streets to reduce *grading* and *cuts* in topography while allowing access for fire trucks and other emergency vehicles.

This



Reduce grading by aligning roads along natural grades

Not This



Avoid running roads counter to steep grades

**FIGURE 16.24-1
ROADWAY PLACEMENT**

6. Where road construction is proposed, the standards shall be consistent with those identified for high fire hazard areas, the California Fire Code, and with *City* design standards.

7. The extent of vegetation and visual disruption shall be minimized by the combined use of retaining structures and regrading to approximate natural *slopes*. The view along a street frontage shall be screened with landscaping and the maintenance of views shall be preserved as demonstrated on the

project plans. The use of terraced walls and landscaping is a recommended design technique to address this visual impact.

8. Wet utilities shall be placed in the road right-of-way, where feasible, and approved by the reviewing agency.

9. Scaled roadway drainage facilities and grades shall be provided consistent with *City* design standards.

D. Architecture.

1. The maximum structure height shall be thirty (30) feet. Refer to Section 16.18.080.A (Maximum Height) for additional criteria on how to calculate the maximum height for a sloped parcel.

a. Architectural Projections Allowed. Architectural projections and variations in roof design are encouraged. Projections above the maximum height limits for architectural features may be allowed subject to approval by the *Director*.

2. Reduction of front yard setbacks may be considered in order to minimize rear yard grading.

3. Building materials and color schemes shall be of earth tones and the value (lightness or darkness) of the specific hue shall be as close to that of the immediately surrounding landscape as possible as demonstrated on the project plans.

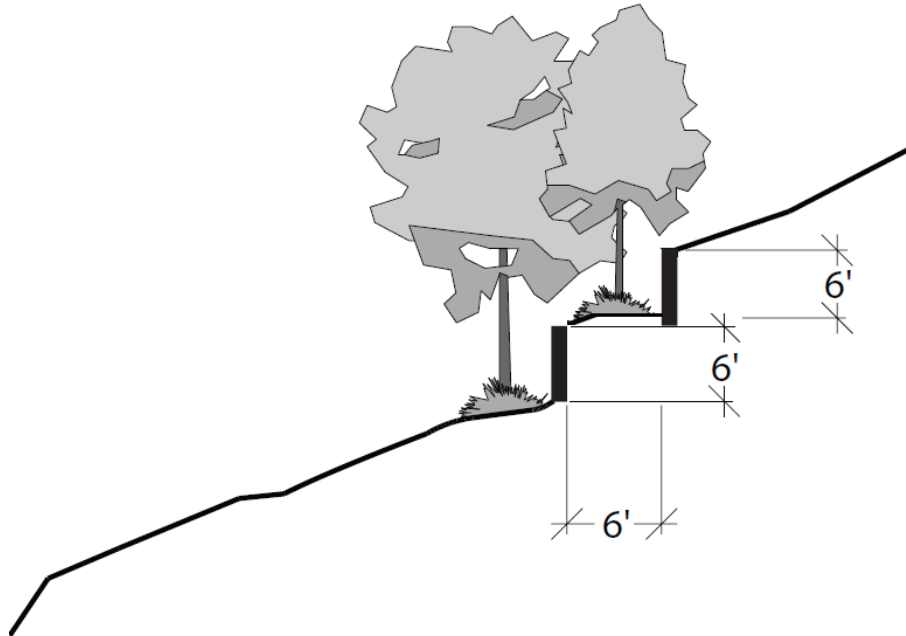
4. Treated wood or materials of a wood-like appearance, having the necessary fire retardant characteristics are a design option for exterior surfaces. Use of other natural materials (e.g., river rock) is a design option as well. The reflectivity of exposed surfaces (walls, roofs, windows, frames, and paved surfaces) shall be mitigated with the incorporation of overhangs, trellises, planting, and similar features.

5. Exterior lighting shall be located and shielded in compliance with Section [16.18.100](#) (Lighting).

E. Walls and Fences.

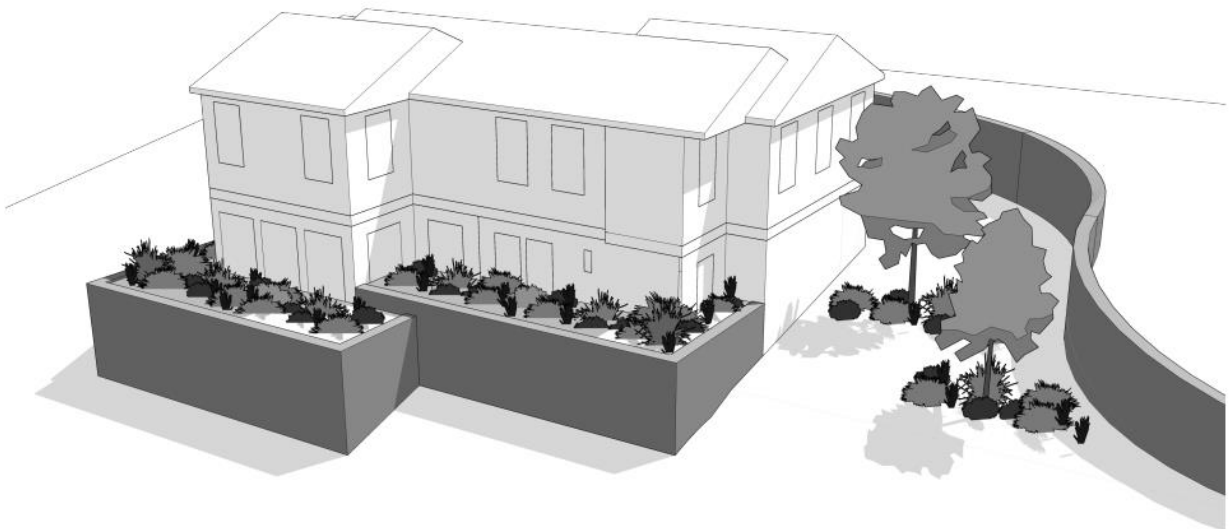
TABLE 16.24-3 RETAINING WALLS – WITHIN HILLSIDE AREAS	
Criteria	
Up to Three Feet Within Front or Street-Side Setback	Walls within the required front yard or street-side setback shall not exceed three feet in height, shall be separated by a minimum of three feet, and shall incorporate landscaping to screen the wall(s).
Line-of-Sight Locations/Visibility Triangles	For any required line-of-sight locations, or visibility triangles, a maximum of thirty inches in height shall be permitted.

Up to Six Feet.	Where multiple terraced retaining walls are designed to retain larger slopes, they shall not exceed six feet in height. Refer to Figure 16.24-2.
Over Six Feet	Prohibited, unless the applicant seeks a waiver or modification. The director may waive or modify the requirements of this standard if the following findings can be made: That the waiver of modification, as applied to the project, will not adversely impact adjoining properties; and That the waiver or modification will not be contrary to the public health, safety, and general welfare; and That the waiver or modification will ensure that the retaining wall incorporates additional screening measures where a wall would be visible from the public right-of-way, including, but not limited to, the use of earth-tone colors and/or landscaping, in order to maintain visual compatibility with the surrounding hillside area.
Over Six Feet and as Part of the Structure.	Walls that are an integral part of the primary structure may exceed six feet in height; however, their visual impact shall be mitigated through <i>contour grading</i> and landscape treatment. Refer to Figure 16.24-3.
Required Offset	At six feet in height, a retaining wall shall be separated by a minimum of six feet horizontally. Refer to Figure 16.24-2.



**FIGURE 16.24-2
HEIGHT OF RETAINING WALLS**

3. Walls that are an integral part of the primary structure may exceed six feet in height; however, their visual impact shall be mitigated through contour grading and landscape treatment.



**FIGURE 16.24-3
RETAINING WALL AS PART OF PRIMARY STRUCTURE**

1. Retaining walls may be permitted when used to reduce grading, preserve natural features, or improve soil stabilization.

2. Split-face block, crib walls, keystone systems, retaining walls with stone veneer, and similar designs may be utilized.
3. The color palette and materials of a retaining wall or similar wall system should utilize earth-tone colors and be consistent with the predominant hues and materials of the adjacent hillsides.
4. If landscaping is proposed to be utilized in conjunction with a retaining or similar wall system, plant materials should be appropriate for the local climate and suited to the wall's sun exposure.



FIGURE 16.24-4
EXAMPLE OF DECORATIVE RETAINING WALL WITH A STONE VENEER

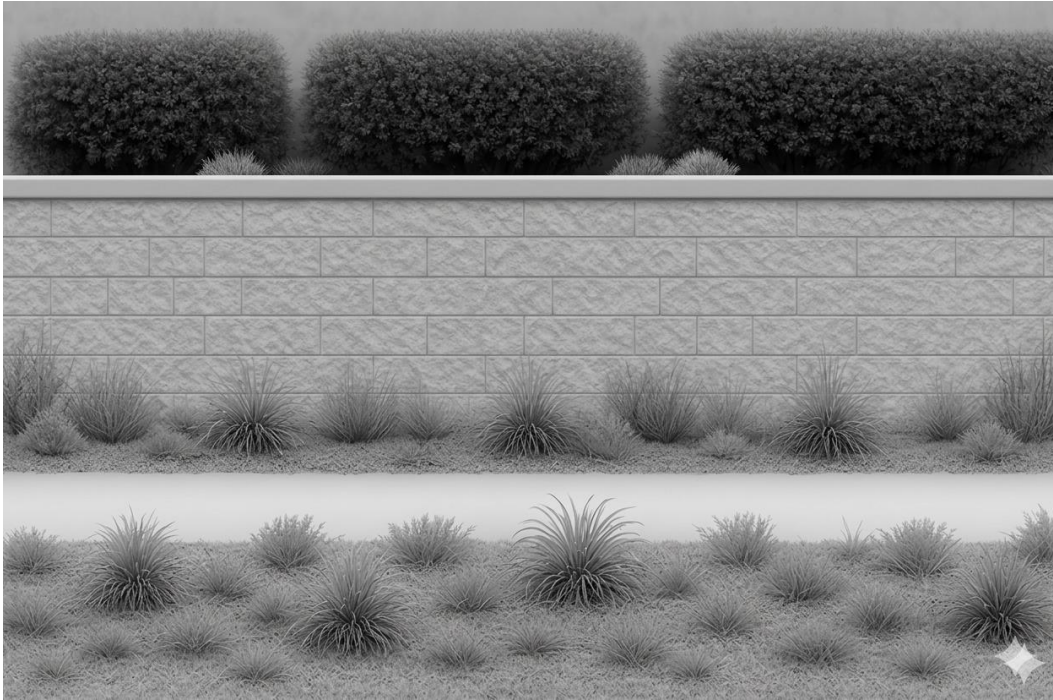


FIGURE 16.24-5
EXAMPLE OF SPLIT FACE RETAINING WALL

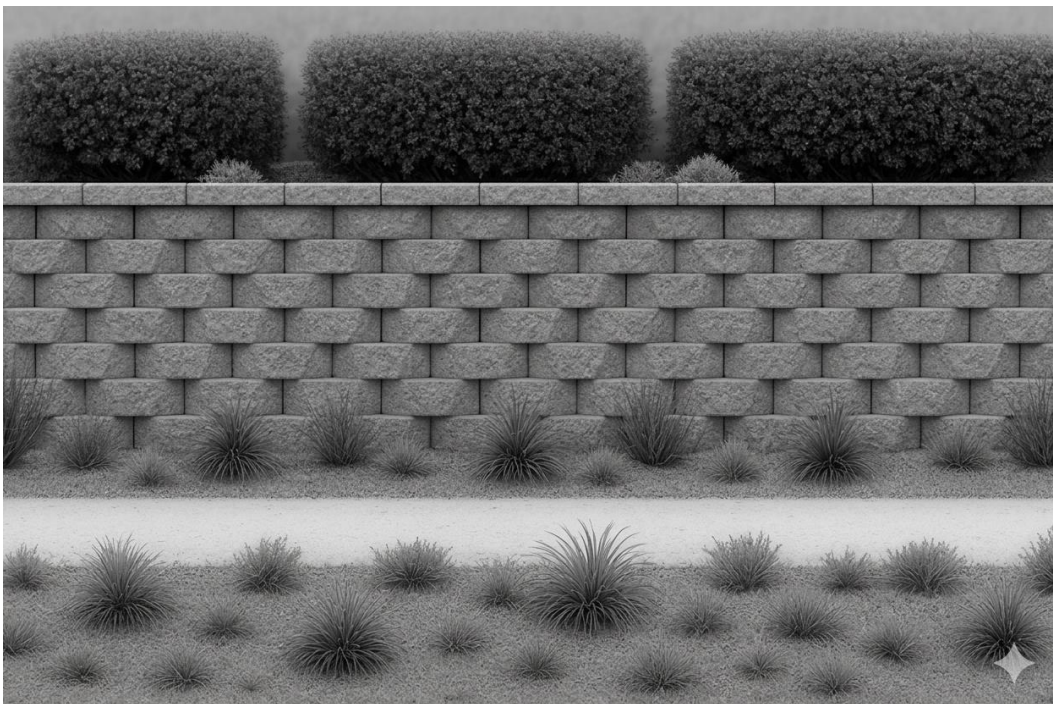


FIGURE 16.24-6
EXAMPLE OF KEYSTONE RETAINING WALL

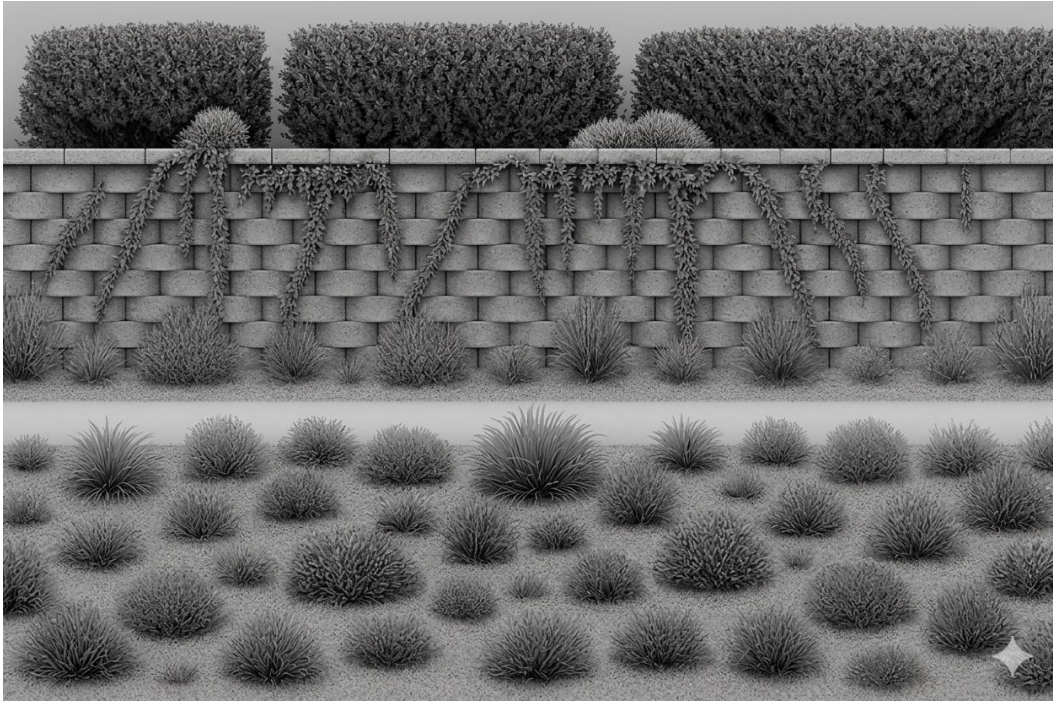


FIGURE 16.24-7
EXAMPLE OF KEYSTONE RETAINING WALL WITH LANDSCAPING

5. Retaining Walls visible from the public right-of-way shall be designed to provide variation in placement, use of planters, differing materials, and modulation of the wall plane to help emulate the pre-existing hillside contours.

6. Retaining Walls shall follow landform grading shapes and contours.

7. Tubular steel or wrought-iron safety fencing may be necessary in conjunction with retaining wall locations. If necessary, these wall locations are to provide for landscape safety maintenance personnel. Construction shall be consistent with the California Building Code (CBC) and related codes.

F. Landscaping. Revegetation in hillside areas shall reflect the visual patterns found naturally in local canyons and valleys. The landscaping as viewed from urban areas and the arterial roadway system shall mask and screen man-made structures.

1. Indigenous, or naturalized plants that blend naturally with the landscape shall be utilized in areas where planting is required. The plant selection shall be deep-rooted, drought-tolerant, and fire-resistant.

2. Natural landform planting shall be used to soften manufactured slopes, reduce the impact of development on steep slopes or ridgelines, and provide erosion control. These landscape techniques shall serve to reintroduce landscape patterns that occur naturally.

This

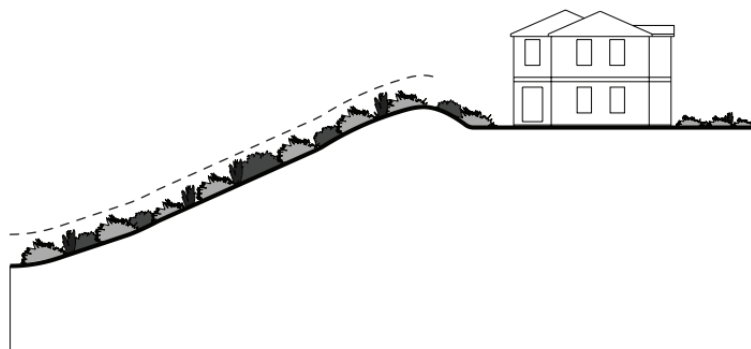
Landform Planting



Irregular visual plane in cross-section

Not This

Conventional Planting



Uniform visual plane in cross-section

**FIGURE 16.24-8
NATURAL LANDFORM PLANTING**

3. A “vegetative backdrop” shall be maintained by replanting the site with native trees and/or providing the same vegetation that was removed, consistent with *City* landscaping standards. As demonstrated in the project plans, the proposed vegetation shall be sized and spaced appropriately to screen structures from the growth of the species at maturity and to preserve the appearance of the natural skyline.

4. The surface of graded or disturbed slopes with three feet or greater vertical height shall be protected against damage by erosion through the planting of deep rooted ground cover as demonstrated on the project plans. Slopes exceeding eight feet in vertical height shall be planted with ground cover and a combination of shrubs and trees that have a high "root-to-shoot" ratio. The size of shrubs and trees shall be determined based on the individual project area as deemed appropriate by the department and/or Planning Commission.

5. Jute mesh or an equivalent shall be required when planting occurs between August fifteenth and April fifteenth, and when determined, as necessary, by a soils engineer and/or licensed landscape architect. Jute mesh shall be used in combination with required plantings as outlined in the slope landscaping guidelines available on the City of Murrieta's website for optimal long-term *slope* stabilization.

6. Indigenous, native vegetation shall be retained and supplemented within canyons and along natural drainage courses where grading does not occur, provided that it conforms with fuel modification and fire prevention plans.

7. Common open space areas, front, and side yards adjacent to a street shall be landscaped and irrigated consistent with *City* landscaping and fire protection standards. These areas shall be provided with native plant materials that blend with the natural character of the surrounding landscape.

8. In order to protect *slopes* from soil erosion and failure, and to facilitate revegetation, and automatic irrigation system shall be installed on *slopes* with planting. Design and operation of the irrigation system shall respect the special conditions that exist in hillside situations specific to maintaining *slope* stabilization and integrity. In all cases, the emphasis shall be toward using plant materials that may eventually not need to be irrigated; therefore, temporary irrigation systems may be used as approved by the *City's* landscape architect and *City Engineer*. Water and energy conservation techniques shall be utilized (e.g. drip irrigation, alluvial rockscape, etc.). Where irrigation systems are installed above ground, ultraviolet light-resistant brown line, or other approved color, shall be used.

9. A permanent fuel modification area shall be required around projects that are located within high or very-high fire severity zone, adjacent to a high or very-high fire severity zone, or exposed to hazardous fire areas for the purpose of fire protection. The fuel modification area shall be maintained by its owners, a homeowners' association, or other public nonprofit agency, or conveyed within a public easement. Adequate provisions shall be made for the continual maintenance of these areas, and the fire code official may require brush, vegetation, combustible item(s), or debris to be removed, cleared, and maintained, consistent with the provisions of Chapter 8.32 of the Municipal Code. Where feasible, fuel modification areas shall be designated as common open space rather than private open space. The recommended width of the fuel modification area shall be based on applicable building and fire codes and the recommendations of the fire code official with consideration given to:

- a. A worst-case Santa Ana wind condition;
- b. The natural ungraded slope of the land within the project and in the areas adjacent to the project;
- c. Fuel load;

d. All weather access to the project by fire suppression equipment and personnel, access directly to the fuel modified area, and egress out of the project area in case of evacuation;

- e. The on-site availability of water that can be used for firefighting purposes with regard to fire flows, water pressure, and duration;
 - f. "Built-in" fire protection within structures (i.e., sprinklers etc.);
 - g. Soil erosion and sediment control measures;
 - h. The fire department fuel modification policy and the Wild Urban Interface Undesirable Plants & Trees list;
 - i. Fuel modification zones for landscaping as outlined by the California Department of Forestry and Fire Protection.
10. Fuel modification areas shall also incorporate soil erosion and sediment control measures to alleviate permanent scarring and accelerated erosion.

G. Grading.

1. *Grading* shall not take place on natural *slopes* that exceed fifty (50) percent.
2. *Slopes* created by *grading* of the site shall not exceed fifty (50) percent or 2:1. Slopes exceeding 2:1 but less than or equal to 1.5:1 may be considered upon additional analysis by a licensed geotechnical engineer. *Slopes* shall not exceed thirty (30) feet in height between terraces or benches, except that the Planning Commission may permit *slopes* exceeding these dimensions where the *slopes* will result in a natural appearance and will not create geological or *erosion* hazards. The soils report and stabilization study shall be subject to third-party review prior to approval by the *City*.
3. In order to help address visual impacts at *Prominent Ridgelines*, the use of the combination of naturally occurring vegetation (trees/shrubs) and proposed landscaping shall be implemented to screen proposed structures at these locations. Alternatively, earth tone colors can be used as a design option if landscape screening is not feasible. Additionally, any required Fuel Modification Zone and California Fire Code standards shall be considered in the design of this screening method, blending with the terrain and existing vegetation.
4. *Clearing* and/or grubbing, excavation, and other earth disturbances shall not be initiated on *hillside areas* prior to the issuance of a *grading* permit, with the exception of county/state authorized soils remediation operations, drill holes, and exploratory trenches for the collection of geologic and soil data or for weed abatement activities. Trenches are to be backfilled and *erosion* treatment provided where *slopes* exceed twenty-five (25) percent.
5. Manufactured *cut* and *fill slopes* exceeding ten feet in height which would be either exposed to public view, or are adjacent to environmentally sensitive areas, shall be *landform* or *contour* graded, where physically feasible, so that their ultimate appearance will resemble a natural slope. This will include *slopes* adjacent to streets and highways, *slopes*, adjacent to parks, schools, open spaces, and other public facilities and other prominent slopes.
6. *Landform grading* shall be used where zero to twenty-five (0-25) percent (non-hillside) *slopes* intersect with twenty-five to fifty (25-50) percent (hillside) *slopes*. Proper transitioning from manufactured *slopes* created by *conventional grading* methods to natural *slopes* shall be achieved

gradually and naturally through the use of radii or irregular curvilinear shapes that will blend into the adjoining topography tangentially and not create abrupt changes.

7. Fill *slopes* shall not be placed perpendicularly across a canyon. Straight line *cut* of *fill slopes* shall not be made to appear like a dam. The terminus of the *fill* shall, instead, be concave in shape to restore the canyon appearance. This concave configuration shall be in combination with the use of substantially flatter *slope ratios* (4:1, 3.5:1, 3:1) at or near the center of this indentation. Symmetrical or unsymmetrical con-cave configurations shall be used depending upon the adjoining or underlying topographic characteristics.

8. Minimal radius rounding at the edges of *cut* and *fill slopes* is not an acceptable method. Transitioning from manufactured *slopes* to natural *slopes* shall be achieved gradually and naturally through the use of radii or irregular curvilinear shapes that will blend into the adjoining topography tangentially and not create abrupt changes.

9. In the planning, design, and development of public utilities and infrastructure, every reasonable effort as demonstrated shall be made to minimize *grading* impacts and incorporates a design that follows the natural *contours* and character of the land.

10. Side yard *slopes* and rear yard slopes (less than twenty (20) feet in height) whose view is blocked by future structures need not have landform design applied.

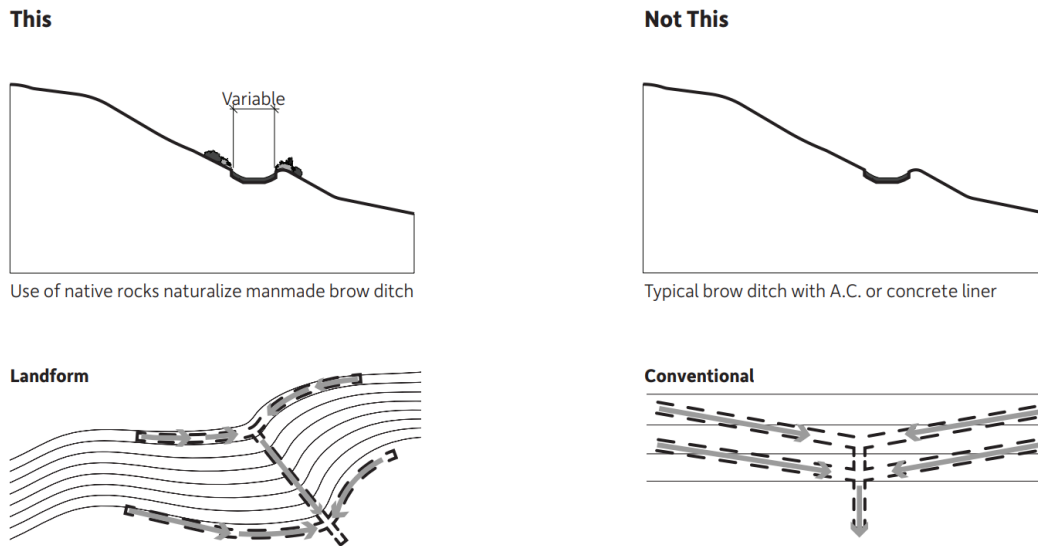
11. *Grading* shall be phased so that prompt revegetation or construction will control *erosion*. Where possible, only those areas that will be built on, resurfaced, or landscaped shall be disturbed. Top soil shall be stockpiled during the rough *grading* phase and utilized on *pads* or revegetated habitat areas, upon the recommendation of the soils engineer.

12. Applicable requirements of the City and state shall be complied with in conjunction with the latest National Pollution Discharge Elimination System (NPDES) permit prior to the issuance of a *grading* permit. This may include, but is not limited to, a *Grading Plan*, and *Erosion Control Plan*, Best Management Plan (During Construction and Post-Construction Phases) and Construction Monitoring Program.

H. Drainage.

1. Debris basins, energy-dissipating devices, and down drains shall be provided, where necessary, to reduce *erosion* when *grading* is undertaken in the *hillside areas*. Natural drainage courses shall be retained where health and safety can be maintained. Drainage courses retained in a natural state shall be protected from grading activity. In instances where a crossing is required, a natural crossing and bank protection shall be a design option over steel and concrete systems. Where drainage structures are required, they shall be naturalized with coloration, plant materials, native rocks and/or concealment with *grading* techniques.

2. Drainage channels, slope drainage devices, interceptor drains and terrace drains shall be placed in less visible locations as demonstrated on the project plans and evaluated for erosion. Down drains shall be hidden in swales diagonally or curvilinear across a slope face. In this manner they will be built into the overall landform of the slope. They shall also receive a naturalizing treatment, which may include native rock, colored concrete, and/or landscaping so that the structure appears as an integral part of the environment. In all cases, a concrete liner shall be used in addition to a naturalizing treatment as demonstrated on the project plans and evaluated for erosion.



**FIGURE 16.24-9
NATURALIZED VERSUS CONVENTIONAL LANDFORMING**

3. Cross-lot drainage usage shall be minimized. In situations where this is not possible using conventional design, optional techniques (e.g., single loaded streets, reduced densities, etc.) shall be considered. Use of cross-lot drainage may be considered only after demonstration that this method will not adversely affect the proposed lots or adjacent properties, and that it is required in order to minimize the amount of *grading* which would result with conventional drainage practices.

4. Where cross lot drainage is utilized, the following shall apply:

a. Project Interiors. One lot may drain across one other lot if a maintenance easement is provided within either an improved, open “V”-swale gutter which has a naturalized appearance, or within a closed drainage pipe that shall be a minimum twelve (12) inches in diameter. This drainage shall be conveyed either to a public street or to a drainage easement. If drainage is conveyed to a private easement, it shall be maintained by its owners or a Homeowners' Association; otherwise, the drainage shall be conveyed to a public easement. The easement width shall be determined on an individual basis and shall be dependent on appropriate hydrologic studies and access requirements. Irrigation lines shall be placed above swales to minimize the impacts in the event of a system failure. When irrigation lines cross an open “V”-swale they shall be placed into a galvanized pipe, which is to be clamped to the soil on both sides of the swale subject to the review of the *City Engineer* or their designee.

b. Project Boundaries. On-site drainage shall be conveyed in an improved open “V”-swale gutter, which has a naturalized appearance, or within an underground pipe in either a private drainage easement, that is to be maintained by its owners or a homeowners' association, or it shall be conveyed in a public easement. The easement width shall be a minimum of ten feet. A greater width may be determined necessary on an individual basis and shall be dependent on appropriate hydrologic studies and access requirements.

I. Public Safety.

1. Residential developments shall be constructed in a manner so as to reduce the potential for spread of wildfires as follows:

a. In the case of a conflict where more restrictive provisions are contained in the adopted and/or locally adopted version(s) of the California Building Code or in the California Fire Code, the more restrictive provisions shall apply.

b. Roofs shall be covered with noncombustible materials (e.g., clay tile, concrete shake, tile, or similar materials). Open ends shall be stopped in order to prevent bird nests, or other combustible material, lodging within the roof and to prevent entry of flames.

c. Exterior walls and fences shall be surfaced with noncombustible or flame resistive materials. Alternate surface materials may be approved subject to the approval of the fire code official and building official. Except as otherwise provided herein, exterior walls shall extend to the ground.

d. Balconies, patio roofs, eaves and other similar overhangs shall be of noncombustible or flame resistive materials.

e. Plastic webbing, split or whole bamboo, reed or straw-like materials, corrugated plastic or fiberglass materials, and similar flammable materials are not permitted for use on patio covers.

f. Vents for attics and underfloor areas shall be designed and located to minimize the likelihood of the spread of fire.

g. Chimneys shall be provided with approved spark arresters.

2. Adequate water supply and pressure for the proposed development shall be required in compliance with the fire department Standards.

3. The fire code official shall require brush, vegetation, or combustible debris to be removed and cleared within ten feet on each side of every roadway and access drive, and may enter upon private property to do so. This requirement shall not apply to single specimens of trees, ornamental shrubbery, or cultivated groundcover provided they do not form a means of readily transmitting fire.

4. If the fire code official determines in a specific case that difficult terrain, danger of *erosion*, or other unusual circumstances make strict compliance with the clearance of vegetation undesirable or impractical, he or she may suspend enforcement thereof and require reasonable alternative measures designed to advance the purposes of this chapter.

5. Site design shall provide for all-weather equipment access to publicly maintained slope areas for maintenance and emergency purposes. Secondary access shall be provided, or an alternative method may be considered by the fire code official with evidence to ensure public safety.

6. Structures and facilities shall be restricted in geologically hazardous areas.

7. Special construction features shall be required in the design of structures where site investigations confirm potential geologic hazards.

8. Development not on public sewers shall be permitted only after site specific investigations have been conducted that demonstrate the soils are suitable for on-site wastewater disposal and the disposal of wastewater will not degrade the subsurface water quality.

9. Due to the hazard associated with saturated soils in areas of steep *slopes*, irrigation systems in critical areas that have the potential for failure in the judgement of the *City Engineer*, or their designee, shall be required to be equipped with potentiometers to make sure that the systems will not operate when there is sufficient moisture in the soil.

16.24.070 Hillside Development Guidelines.

The hillside development guidelines are intended to illustrate and amplify the appropriate development concepts for designated *hillside areas*. The guidelines are not intended to be an exhaustive list of standards, but rather policy statements, to encourage development that is sensitive to the unique characteristics common to hillside properties. The guidelines allow for flexibility and they encourage creativity, especially where a specific plan is prepared. However, the objective development standards provided in Section [16.24.060](#) shall be considered as a "benchmark" against which hillside development proposals will be reviewed for compliance with the purposes of this chapter.

The guideline's purpose is to allow for innovative or alternate methods of design in *hillside areas*. Innovation is encouraged as long as the end result is one that respects the natural character of the hillside and is consistent with the purposes of this chapter and the goals, objectives and policies of the *City's* General Plan .

Conformance with the guidelines shall be incorporated in the preparation and approval of subdivisions and individual site developments. During the application review process, the *City* will evaluate the consistency of the proposal with the purposes of this chapter. Prior to the start of the design effort, it is recommended that the project design team members read the *City's* General Plan and become familiar with its policies.

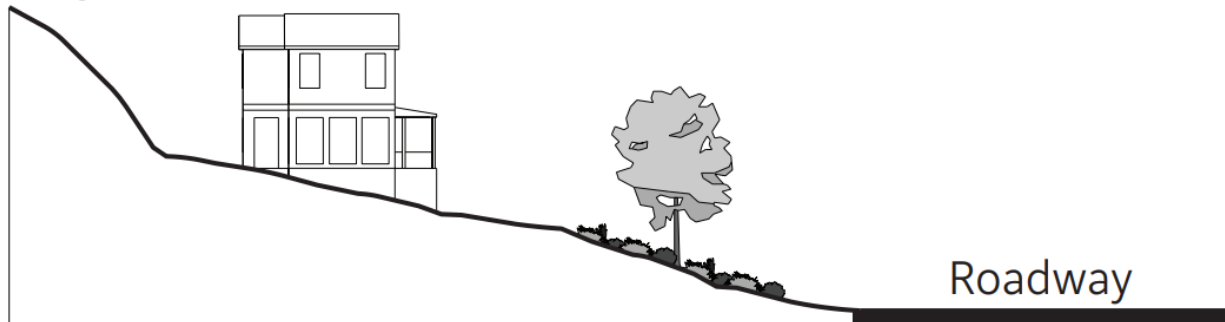
A. Site Design.

1. Design of building sites shall be sensitive to the natural terrain. Structures shall be located in a way that minimizes *grading* and preserves natural features (e.g., prominent knolls, ridgelines, etc.)

2. Preserve views of significant visual features.

3. Where possible, graded areas should be designed with manufactured slopes located on the uphill side of structures.

This



Slopes should be rounded to provide a more natural appearance. Large manufactured slopes should be located on the uphill side of the structure to reduce the appearance of grading from the roadway. Retaining walls may be used.

Not This

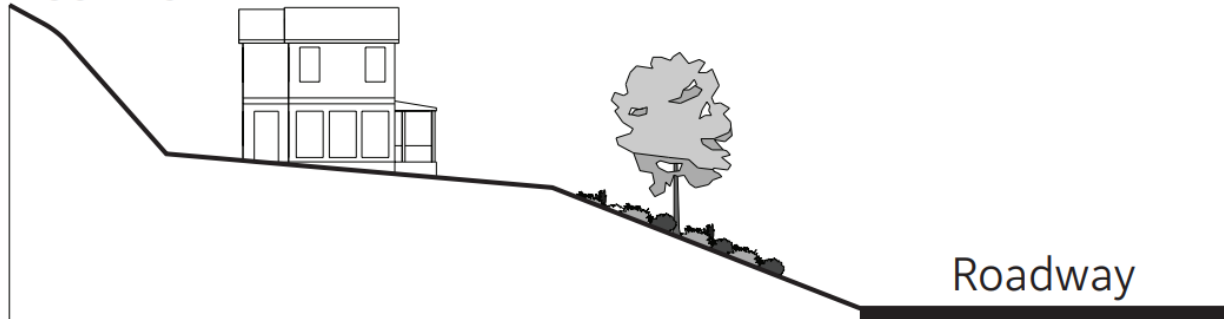
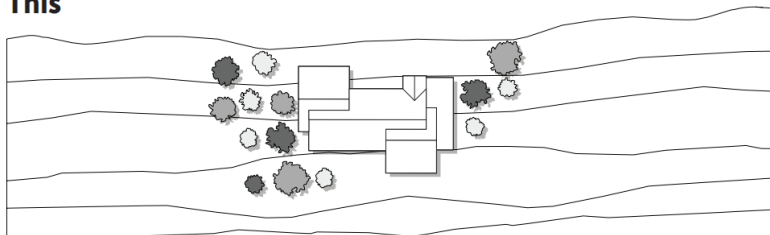


FIGURE 16.24-10
EXHIBIT 2 - BUILDING PLACEMENT AT A SITE

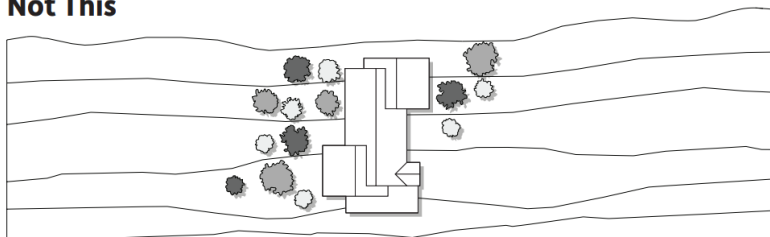
4. To the extent possible, the width of a building, measured in the direction of the slope, shall be minimized. The degree of the *slope* will dictate how this is accomplished and shall be demonstrated on the project plans (See Figure 16.24-11 Exhibit 3 – Building Placement at a Site.”

This



Building pulls back from steeper slopes and ravines on the hillside. Minor building protrusions perpendicular to the contours are acceptable when inset in hillside. Building is parallel with the contours.

Not This



Building is perpendicular to the contours.

**FIGURE 16.24-11
EXHIBIT 3 - BUILDING PLACEMENT AT A SITE**

5. Clustering of development is encouraged.

B. Driveways and Roadways.

1. Driveways that serve more than one parcel are encouraged as a method of reducing *grading*, paving, and site disturbance.

Driveways that serve more than one parcel reduce unnecessary grading, paving, and site disturbance.



**FIGURE 16.24-12
ROADWAY PLACEMENT AT A SITE**

C. Architecture.

1. The form, mass, and profile of the individual buildings and architectural features shall be designed to blend with the natural terrain and preserve the character and profile of the natural slope. Techniques to accomplish this include:
 - a. Detaching the garage from the residence; and
 - b. Integrating retaining walls into garage walls on sloping lots to reduce *grading* and minimize visibility of walls; and
 - c. Including architectural enrichments and variations in roof massing. Roofs shall incorporate low profiles (for example 3:12 slope) to minimize their visual impact. On sloping land, the roof pitch shall

follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside *slope*. Gable ends shall not be used on downhill elevations. Upper stories shall not be cantilevered out of the opposite direction of the hillside slope.

2. The design of the structure shall give consideration to the lot's size and configuration in order to avoid the appearance of building scale and to minimize the blocking of views as demonstrated on the project plans. For example, within a development, the majority of the units should not be designed with minimum setback to minimum setback. See additional criteria as provided under Section 16.08.030 "Single-family Residential Design Standards and Design Features" and Section 16.08.040 "Multi-family Residential Design Standards".

D. Walls and Fences.

1. When possible, walls and fences shall be designed as an integral part of the building in order to minimize the visual impact on surrounding areas.

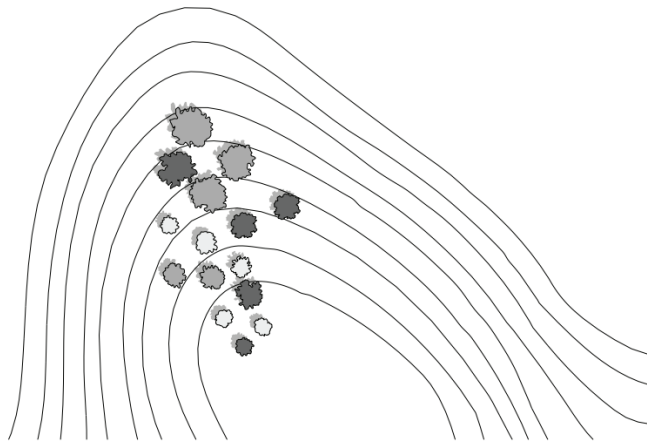
E. Landscaping.

1. Street trees shall be provided in select areas to enhance the natural character of the areas and to create a more rural appearance. Street tree species selection, and spacing of trees, shall be sensitive to the context in which they are planted. Species selection shall be considered to minimize potential impacts to infrastructure improvements (i.e. root damage to streets, sidewalks, etc.).

2. *Slopes* shall be designed with informal clusters of trees and shrubs to soften and vary the slope planes, consistent with *landform grading* concepts.

This

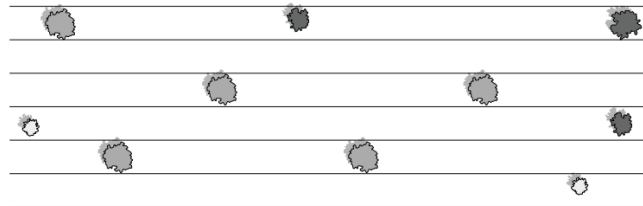
Landform Revegetation



Groundcover only for convex areas. Trees and shrubs clustered in concave areas. Larger species at bottom.

Not This

Conventional Landscaping



Trees and shrubs spaced for uniform coverage.

FIGURE 16.24-13
BUILDING ENVELOPE ON SLOPE

F. Grading.

There are three distinct types of grading proposed in these guidelines, each with a unique quality, and each with an individual and appropriate application as determined by the *City Engineer* or designee. Larger sites will most likely incorporate all three concepts in various parts of the plan.

1. Minimal Grading. This is typically used for large lot single family homes, custom homes with variable foundations that conform to the existing *slopes*, and other uses that utilize the least amount of *grading* in order to get the facility and structures built. This technique embraces the following concepts:

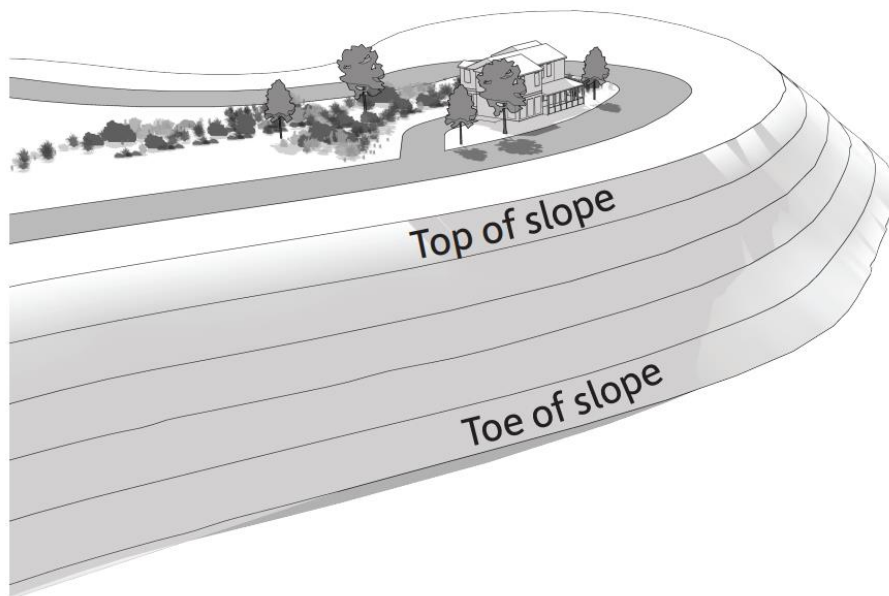
- a. *Grading* shall be limited to individual flat graded pad areas for residential building sites. *Grading* shall be limited to only the required building areas and adjacent outdoor amenities in steep *hillside areas*;
- b. Foundation systems that require little or no *grading* are encouraged, forcing the architecture to conform to the land rather than the land to conform to the dwelling;
- c. *Cut* and *fill* lines delineating the grading activity whereby *cut* areas adjoining next to *fill* areas shall be situated outside of areas where differential settlement is not desirable (e.g., roadways, building pads, driveways, etc.);
- d. The balancing of *grading* is the concept to minimize the volume of cubic yards of earth excavated and filled.

2. Contour Grading. This concept results in post-development landforms that exhibit many of the characteristics present within natural landforms. *Contour grading* is typically used in situations where conventional, terraced, grading with benches and *slopes* might be used but a "softened" *grading* look is desired. This would be desirable for areas that are limited in public view (i.e. concealed rear yards).

Typically, *contour grading* can reduce required *cut* and *fill* volumes as compared with traditional, terraced, *grading*. The design elements associated with this type of *grading* include: (See Figure 16.24-14 “Contour Grading”)

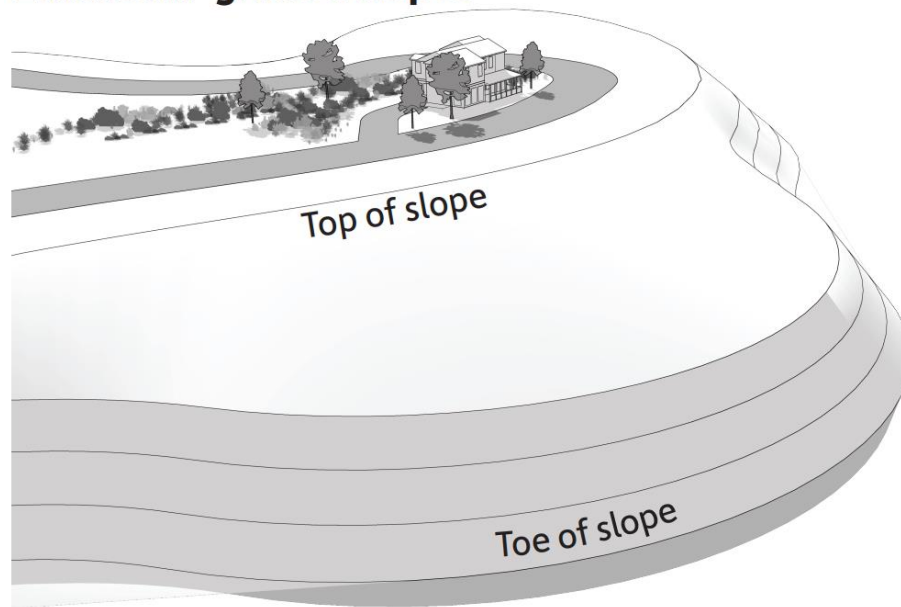
- a. The use of horizontal and vertical curve variations for slope banks creating a curvilinear pattern;
- b. Post-development landforms that exhibit natural terrain characteristics (without the heavy modeling effects of *landform grading*);
- c. A general rounding of *slopes* at *slope* intersections and transition zones with natural grade;
- d. *Pad* configurations that are curvilinear; and
- e. *Slopes* that are designed with *contour grading* techniques (e.g., the location of *slopes* behind structure (not in side yards), *slopes* in hidden locations, or *slopes* less than ten feet in height).

Contour-graded slopes



**FIGURE 16.24-14
CONTOUR GRADING**

Landform-graded slopes



**FIGURE 16.24-15
LANDFORM GRADING**

3. Landform Grading. Graded *slopes* in this category will replicate the irregular shapes of natural *slopes*. *Landform grading* techniques shall be used whenever *slopes* are created that will be open to public view.

The intent of these *grading* guidelines is to incorporate the basic principles of the *landform grading* concept as the preferred method in the design and construction of hillside development projects. (See Figure 16.24-15 “Landform Grading”)

Landform grading techniques shall incorporate the following concepts:

- a. Land plans shall flow with the natural topography rather than against it. This means that street patterns and building *pad* configurations shall follow the underlying topographic features rather than cutting across them;
- b. Landform graded slopes are characterized by continuous series of concave and convex forms interspersed with mounds that blend into profiles with varying slope gradients and with significant transition zones between man-made and natural slopes;
- c. Slope drainage devices either follow natural lines of the slopes or are tucked away in special Swale and berm combinations in order to conceal the drains from view. Exposed segments in visible areas are treated with natural rock for a more aesthetically pleasing appearance;
- d. This technique shall be used wherever possible to provide for a variety of slope percentage, slope direction, and topographical detailing in a three-dimensional, undulating pattern similar to existing terrain; and

e. Manufactured *cut* and *fill* slopes in excess of ten feet in height that will be either exposed to permanent public view or are adjacent to environmentally sensitive areas, shall be designed with features characteristic of natural *slopes*. This design shall be implemented, as determined by the *City Engineer* based on the project plans so that the ultimate appearance will resemble a natural slope. This is applicable to, but not limited to, *slopes* along streets, highways, adjacent to parks, schools, open spaces, other public facilities, and other prominent and visible *slopes*.

4. The following *grading* guidelines and techniques serve to implement preferred *landform* grading techniques and help avoid unnecessary *cut* and *fill*:

a. *Cuts*. When grading into convex landforms (i.e., outward-projecting features), the resulting cuts shall maintain a similarly projecting form and be contoured to blend seamlessly with the undisturbed portions, thereby preserving a natural-appearing landform.

b. Use of variable slope ratios. Because landform grading designs require the use of variable slope ratios, this may result in loss of usable area near building pads. Therefore, only cut slopes may be steeper than 2:1, but not steeper than 1.5:1 and shall meet the following guidelines:

1) A geotechnical engineer shall certify that *slopes* will meet standard stability requirements;
2) A licensed landscape architect shall certify the plantability of the *slopes*, with an emphasis on the *slopes* steeper than 2:1; and

3) The overall ratio from top to toe will be 2:1 or flatter; and
4) Ratios flatter than 2:1 will also be used in the slope design.

c. *Grading* operations shall occur to avoid the rainy season, October fifteenth (15th) to April fifteenth (15th). *Grading* permits shall only be issued when a plan for *erosion* and sediment control has been approved by the *City* without regard to time of year. Additionally, those projects also requiring a Storm Water Pollution Prevention Plan (SWPPP) shall obtain approval of the SWPPP prior to any grading permit issuance.

d. Rounded and smooth transitions shall occur where man-made and natural *slopes* intersect. Where *cut* or *fill* conditions are created, *slopes* shall be varied. The angle of a graded *slope* shall be gradually adjusted to the angle of the natural terrain.

e. Manufactured *slopes* adjacent to roadways shall be consistent with the *landform grading* and revegetation techniques.

f. *Slopes* shall implement drainage measures as detailed within Sub-article 11 of the City of Murrieta Grading Manual.

G. Drainage.

1. Natural drainage courses shall be preserved and enhanced to the maximum extent per the associated National Pollution Discharge Elimination System (NPDES) permit associated with the project site.

2. The NPDES Permit also requires that a project's stormwater runoff be retained on-site through filtration to the maximum extent permitted by State law. Runoff not retained on-site shall be conveyed off-site in accordance with City standards, codes, and policies.

16.24.080 Exceptions.

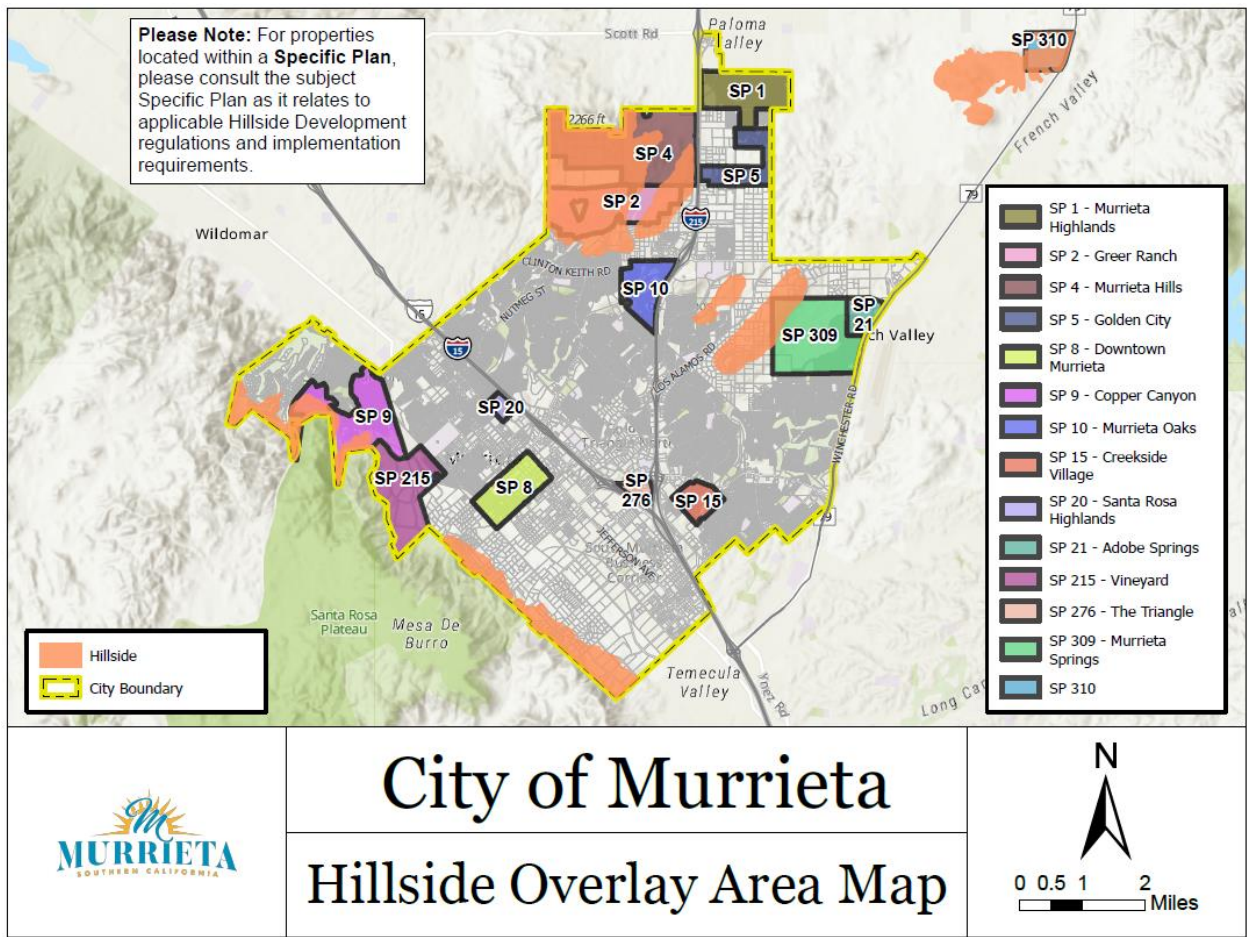
A. Residential Accessory Structures and Accessory Dwelling Units. This Chapter shall not apply to the development of residential accessory structures and accessory dwelling units on parcels with existing development approvals when the new construction:

1. Does not require the use of a retaining wall; and
2. Meets the criteria as described within Section 16.44.150 (Residential Accessory Uses and Structures) and Section 16.44.160 (Accessory Dwelling Units) and Section 16.02.020 (Exemptions from Land Use Permit Requirements).

16.24.090 (Reserved).

Reserved for future updates

16.24.100 Hillside Overlay Map.



A. Refer to the *City’s* online Geographic Information System (GIS) as an additional mapping resource for project review.

SECTION 8. Section 16.28.080 (Landscaping Standards) is hereby amended in its entirety to read as follows:

“16.28.080 Landscape Standards.

Landscape areas and materials shall be designed, installed, and maintained in compliance with the following:

A. General Design Standards. The following features shall be incorporated into the design of the proposed landscape and shown on required landscape plans:

1. Landscaping shall be planned as an integral part of the overall project design and not simply located in excess space after parking areas and structures have been planned;
2. Pedestrian access to sidewalks and structures shall be considered in the design of all landscaped areas;
3. Landscape planting shall be provided for all adjacent public rights-of-way, in compliance with [Chapter 16.108](#) (Improvements);
4. With the exception of single-family residential units, landscape adjacent to driveways and parking areas shall be protected from vehicle damage through the provision of minimum six (6) inch high concrete curbs or other types of barriers as approved by the director;
5. Landscaped areas shall not be less than five (5) feet in width, except where determined by the director;
6. Concrete strips, a minimum of four (4) inches in width, shall be provided to separate all turf areas from other landscaped areas, except for single-family residential landscape projects;
7. Permeable surfaces shall be used wherever permissible in place of impervious paving, to encourage on-site water infiltration and support water conservation measures. Permeable surfaces shall be identified on plans; and
8. Protective tree grates shall be provided for trees planted in pedestrian areas, except for single-family residential landscape projects and as determined by the director.

B. Plant Materials. Plant materials shall be selected and installed to comply with the following requirements:

1. A mix of plant materials shall be provided in compliance with the following table (Table 16.28-2). Calculations documenting the required mix shall be shown on the landscape plan;

TABLE 16.28-2 MINIMUM REQUIRED MIX OF PLANT MATERIALS	
Plant Material	Minimum Required Percentage
Trees	
Twenty-four (24) inch box	35%*
Fifteen (15) gallon	65%

Shrubs	
Five (5) gallon	70%
One (1) gallon (herbaceous only) with city approval	30%
Groundcover	
Coverage within two (2) years	100%
A greater percentage of specimen trees may be utilized with a corresponding reduction in the number of fifteen- (15-) gallon trees subject to the review of the director.	

2. Trees for shade shall be provided for buildings/structures, as well as for parking lots and open space areas. These trees can be deciduous or evergreen and are to be incorporated to provide natural cooling opportunities for the purpose of energy and water conservation;

3. Trees shall be planted in areas of public view adjacent to and along structures, at an equivalent of at least one (1) tree per thirty (30) linear feet of structure. Other areas shall provide trees at a ratio of one (1) tree for each three hundred (300) square feet of landscaped area. The clustering of trees is encouraged;

4. Mature specimen trees in thirty-six (36) inch and forty-eight (48) inch boxes shall be provided for large projects in sufficient quantity subject to the approval of the Director, to provide variety and emphasis at main focal areas;

5. All trees shall be staked or guyed (on a case-by-case basis) subject to the review of the director and in compliance with city standards;

6. Trees and shrubs shall be planted so that at maturity they do not interfere with service lines and traffic safety sight areas;

7. Trees and shrubs shall be planted and maintained in a manner that protects the basic rights of adjacent property owners, particularly the right to solar access;

8. Trees planted near public sidewalks or curbs shall be of a species and installed in a manner that prevents physical damage to sidewalks, curbs, gutters and other public improvements; and

9. Groundcover shall be of live plant material. Limited quantities of gravel, colored rock, bark, and similar materials may be used in combination with a living groundcover.”

**ATTACHMENT 3 –
EXHIBIT “B”**

REDLINE**ORDINANCE NO. 26-__****AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURRIETA, CALIFORNIA, AMENDING TITLE 16 OF THE MURRIETA MUNICIPAL CODE TO AMEND THE CITY'S DEVELOPMENT CODE CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28. RELATED TO HILLSIDE DEVELOPMENT STANDARDS**

Summary: This Ordinance updates the City's existing hillside regulations to promote and guide the orderly development of hillside areas through standards, which are specifically designed to address the unique challenges of such terrain. These updated regulations include, but are not limited to, provisions related to the measurement of building height on a slope with new graphics, clarification of applicability of a hillside area, the basis for a slope determination, when a hillside development permit is required, undeveloped and developed review criteria and applicability, updated definitions, hillside application materials, review procedures, slope grading techniques, the placement and height of retaining walls in hillside areas, site access, aesthetic and landscape treatments, exceptions to a permit, and incorporation of new hillside overlay into the municipal code.

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

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

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

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

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

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

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

WHEREAS, on January 25th, 2023, the City held a second public workshop at its Planning Commission meeting to provide and receive input from local residents and the Commission concerning hillside development standards in the City. Areas that were covered were inclusive of existing and proposed Hillside Overlay applicability, height allowances for structures, height measurement criteria, hillside slope applicability, average slope calculation, Prominent Ridgeline Overlay, and retaining wall criteria. The other items presented by staff were potential techniques to improve the readability of the existing Murrieta Municipal Code (MMC), examples of graphic exhibits that could be incorporated, highlights of areas to resolve code inconsistencies, ways to incorporate best practices, and suggestions from staff on how to simplify the standards to make them more user-friendly to both staff and applicants; and

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

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

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

WHEREAS, on March 5, 2024, the City Council hosted a second workshop on this item. The discussion centered on a potential review process for retaining walls, clarifying building

height measurements on sloped terrain, and ensuring the "Hillside Overlay" maps accurately reflect local topography to avoid unnecessary burdens on flat-land homeowners. Crucially, the Council worked to harmonize aesthetic screening requirements with mandatory state fire safety and fuel modification mandates, prioritizing the protection of prominent ridgelines while ensuring the code aligns with current California law. Due to additional time needed for the discussion and feedback, the workshop was continued for a second time; and

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

WHEREAS, on October 21, 2025, the City Council held its fourth workshop on this item. The discussion centered on the following areas, where the Council reached consensus on key Focus Topics with the Applicability of Standards; Identifying The City's Hillside Areas: 20 Percent Slope Versus 25 Percent; 25 Percent Slope Criteria; Specific Plans; and the use of Geographic Info. Systems (GIS) And Average Slope Formula; and

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

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

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

SECTION 1. Section 16.08.020 (Residential Districts General Development Standards), Table 16.08-03 (Residential (Single-Family) Zones General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

TABLE 16.08-3 RESIDENTIAL (SINGLE-FAMILY) ZONES GENERAL DEVELOPMENT STANDARDS						
Development Feature	RR	ER-1	ER-2	ER-3	SF-1	SF-2⁽³⁾
Minimum Parcel Size	2.5 acres ⁽²⁾	1.0 acres	0.5 acres ⁽¹⁾	10,000 sq. ft.	7,200 sq. ft.	4,350 sq. ft.
Density Range	0.1 - 0.4 dus/acre	0.4 - 1.0 dus/acre	1.0 - 2.0 dus/acre	2.0 - 3.0 dus/acre	2.1 - 5.0 dus/acre	5.1 - 10.0 dus/acre
Minimum Parcel Width	100 feet	100 feet	100 feet	70 feet	70 feet	55 feet, 45 feet for parcels less than 5,000 square feet. This parcel width shall be increased to a 50 foot width for every fifth lot on a non-cul-de-sac parcel street frontage.
Minimum Livable Area	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.	1,000 sq. ft.
Setbacks						
Front	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Interior	20 feet	20 feet	20 feet	10 feet	10 feet	7.5 feet per side. For parcels less than 5,000 sq. ft. = A minimum of an average of 12 feet overall for the combination on of both interior sides with no side setback of less than 5 feet.
Street Side	20 feet	20 feet	20 feet	20 feet	20 feet	10 feet
Rear	20 feet	20 feet	20 feet	20 feet	20 feet	20 feet
Accessory Structures	Consistent with Section 16.44.150					

Maximum Parcel Coverage	25%	25%	35%	35%	35% for two- story; 45% for single story	50%
Maximum Building Height	40 feet ⁽⁴⁾	40 feet ⁽⁴⁾	40 feet ⁽⁴⁾	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾	35 feet ⁽⁴⁾
Minimum On-site Landscaping	25% of front yard area					
Small Attached Unit Configuration	Refer to Section 16.16.020 “Planned Residential Development General Standards” for development standards and project review and 16.16.030 “Planned Residential Development Design Standards and Parameters.”					
Notes: (1) A forty (40) foot wide buffer shall be provided along Washington Avenue (from Guava to Elm Street) in the public right-of-way. Landscaping to include six-foot high block wall, pedestrian trails and/or sidewalk, and landscaping berms to act as natural buffers. New residential projects will be allowed to access from Washington Avenue with residential lots abutting Washington Avenue are prohibited from taking direct access from Washington Avenue. (2) The minimum parcel area for properties zoned RR can include adjacent area to the centerline of the public street right-of-way. (3) For projects proposing a clustering configuration with detached single-family homes or within small attached unit configurations, please see 16.16.020 “Planned Residential Development General Standards” and 16.16.030 “Planned Residential Development Design Standards and Parameters” for requirements. (4) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.						

“

SECTION 2. Section 16.08.020 (Residential Districts General Development Standards), Table 16.08-04 (Residential (Multi-Family) Zones General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

TABLE 16.08-4 RESIDENTIAL (MULTI-FAMILY) ZONES GENERAL DEVELOPMENT STANDARDS				
Development Feature	MF-1 ⁽⁵⁾	MF-2	MF-3	MF-4
Minimum Parcel Size	5 acres	5 acres	5 acres	5 acres
Minimum Parcel Width	100 feet	100 feet	100 feet	100 feet
Density Range	10.1 - 15 du/acre	15.1 - 18.0 du/acre	18.1-29.0 du-acre	Min. 30 du/acre
Minimum Livable Area	500 sq. ft.	500 sq. ft.	500 sq. ft.	500 sq. ft.
Setbacks				
Street	10 feet	10 feet	10 feet	10 feet
Interior	10 feet	10 feet	10 feet	10 feet
Maximum Parcel Coverage	35%	35%	50%	None
Maximum Height Limit	50 feet	50 feet	60 feet	100 feet
Open Space (per dwelling unit)				
Private Open Space	60 sq. ft./upper floor 100 sq. ft./ground floor	60 sq. ft./upper floor 100 sq. ft./ground floor	All units 50 sq. ft. ⁽²⁾	All units 50 sq. ft. ⁽²⁾
Common Open Space	200 sq. ft.	200 sq. ft.	150 sq. ft. ⁽³⁾	150 sq. ft. ⁽³⁾
Recreational Amenities			For projects containing 25 or more dwelling units, provide one recreational amenity for each 30 dwelling units or fraction thereof ⁽⁴⁾	For projects containing 25 or more dwelling units, provide one recreational amenity for each 30 dwelling units or fraction thereof ⁽⁴⁾
Minimum On-site Landscaping	10% of the site area			
Notes:				
(1) When adjacent to existing single-family residential use or zone, the building setback from the nearest property line shall be 10 feet for the first 25 feet in height, above 25 feet in height the setback shall be 20 feet, and above 50 feet, the setback shall be 30 feet.				
(2) For stand-alone multi-family residential projects or as part of a mixed-use development, each residential unit shall be provided with at least one area of private open space accessible directly from				

the living area of the unit, in the form of fenced yard or patio, a deck or balcony at a minimum area of 50 square feet. The minimum dimension, width or depth of a balcony shall be 5 feet.

(3) All common open space shall be conveniently located and accessible to all dwelling units on the site. Common open space may include landscaping, pedestrian paths and recreational amenities. In projects containing fewer than 10 units, the common open space shall have a minimum width and depth of 10 feet. In projects containing 10 or more units, the minimum width and depth shall be 20 feet.

(4) One common recreational amenity shall be provided for each 30 units or fraction thereof. The following listed amenities satisfy the above recreational facilities requirements. Recognizing that certain facilities serve more people than others, have a wider interest or appeal, and/or occupy more area, specified items may be counted as two amenities, as noted. In all cases, each square foot of land area devoted to a recreational amenity shall be credited as common open space on a 1:1 basis.

- a. Clubhouse (two)
- b. Swimming Pool (two)
- c. Tennis, Basketball or Racquetball court
- d. Weightlifting facility
- e. Children's playground equipment
- f. Sauna or Jacuzzi
- g. Day Care Facility (two)
- h. Other recreational amenities deemed adequate by the director.

(5) For projects proposing a clustering configuration with detached single-family homes or within small attached unit configurations, please see [16.16.020](#) "Planned Residential Development General Standards" and [16.16.030](#) "Planned Residential Development Design Standards and Parameters" for requirements.

(6) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.

“

SECTION 3. Section 16.14.010 (Purpose), Table 16.14-2 (Special Purpose Districts General Development Standards) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“

TABLE 16.14-2 SPECIAL PURPOSE DISTRICTS GENERAL DEVELOPMENT STANDARDS			
Development Feature	P&R	C&I	OS
Setbacks			
Street	25 feet	25 feet	25 feet
Interior	20 feet	20 feet	20 feet
From Abutting Residential District	15 feet		
Accessory Structures	Same as Primary Structure		
Maximum Height Limit ⁽¹⁾	35 feet ⁽¹⁾	50 feet ⁽¹⁾	35 feet ⁽¹⁾
(1) For structures located within a Hillside Area, see the maximum height criteria as provided within Section 16.24 (Hillside Development) and applicability.			

“

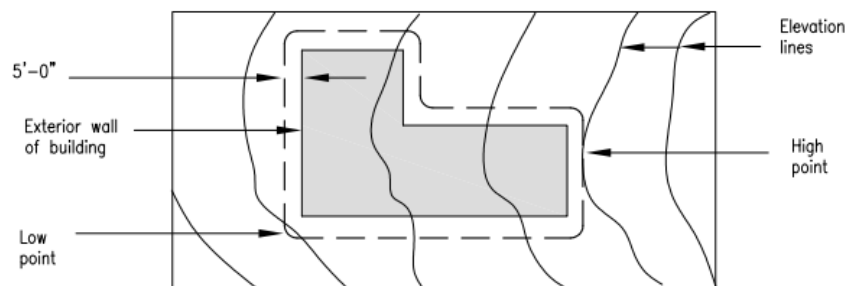
SECTION 4. Section 16.18.080 (Height Measurement and Height Limit Exceptions) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with [Chapter 16.22](#) (Fences, Hedges, and Walls).

A. Maximum Height. The height of structures shall not exceed the standard established by the applicable zoning district in Article II (Zoning Districts and Allowable Land Uses) or for structures within a Hillside Area under Section 16.24.020.A. In addition, the maximum height for structures on a specific parcel shall be measured as follows:

1. Establishing the high point and low point on the property as reference grade points as follows:

- a. A measurement is taken from the lower of existing or proposed grade, 5 feet away from the lowest grade point around the structure in accordance with Figure 16.18-1. This point shall be the low reference grade point. The highest point anywhere on the structure may not exceed the elevation of that low grade point by more than the allowable height plus the grade differential between the low point of structure and high point of structure (excluding items as detailed under Section 16.18.080(B) (Exceptions to Height Limits)), but in such case where the actual grade differential exceeds 10 feet, only a maximum of 10 feet may be added to the maximum allowable height per the zone. The measurement is the difference in elevation between the highest and the lowest adjacent ground elevation surrounding the building.



**FIGURE 16.18-1
MEASUREMENT LOCATIONS**

- b. If the difference in elevation is 10 feet or less, the reference grade point is established at the highest adjacent ground elevation. See Figure 16.18-2. If the difference in elevation is greater than 10 feet, the reference grade point is established at 10 feet above the lowest adjacent ground elevation. See Figure 16.18-3. For stepped or terraced buildings, the building height is the overall height as illustrated in Figures 16.18-4 and Figure 16.18-5.

Height Measurement on a Slope

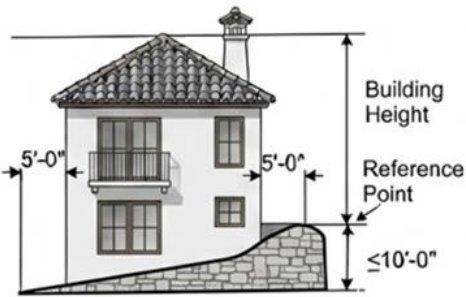


Figure 16.18-2 = $\leq 10'-0"$

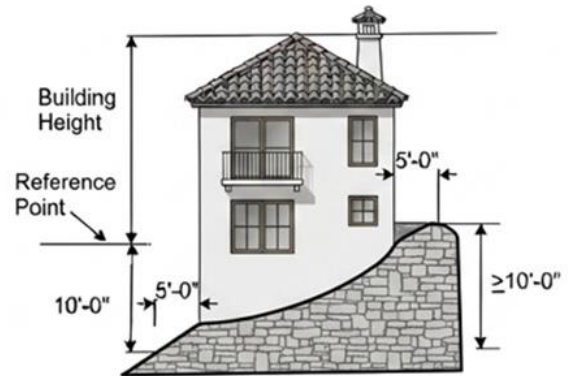


Figure 16.18-3 = $\geq 10'-0"$



Figure 16.18-4 - Stepped Building = $\leq 10'-0"$



Figure 16.18-5 - Stepped Building = $\geq 10'-0"$

FIGURE(S) 16.18-2, -3, -4, -5 MEASUREMENT CRITERIA

c. For a project with a proposed pad configuration, the height of the structure measured by the vertical distance from the finished grade to the height of the roof line. See Figure 16.18-6.

Height Measurement at a Pad Location

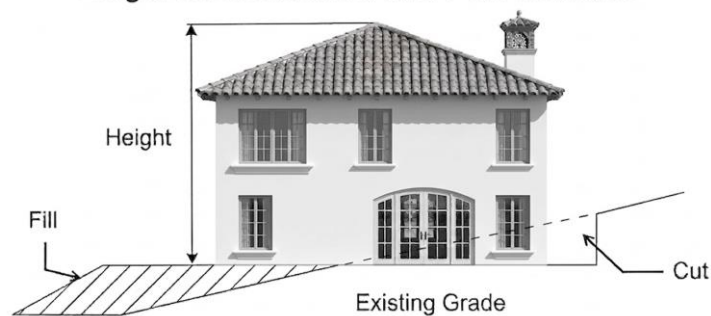


FIGURE 16.18-6

MEASUREMENT WITH PAD CONFIGURATION

B. Exceptions to Height Limits. Exceptions to the height limits identified in this development code shall apply in the following manner:

1. Roof-mounted Features. Roof-mounted features including chimneys, cupolas, clock towers, elevator equipment rooms, equipment enclosures, and similar architectural features shall be allowed, up to a maximum of fifteen (15) feet above the allowed structure height. The total square footage of all structures above the heights allowed in the zoning districts shall not occupy more than twenty-five (25) percent of the total roof area of the structure. Greater height or area coverage may be allowed subject to the approval of a minor conditional use permit in compliance with [Chapter 16.52](#).

2. Parapet Walls. Fire or parapet walls may extend up to four feet above the allowable height limit of the structure.

3. Public Assembly, Hotels, Class "A" Office and Public Structures. Places of public assembly including churches, schools, assembly halls, Class "A" office buildings greater than three (3) stories, hotels and other similar structures may exceed the established height limit by one (1) foot for every two (2) feet that the minimum required front, rear and side yard setbacks are increased. The increase in the front, rear and side yard setbacks is determined by averaging the total of the increased building setbacks at the closest point on all sides. The maximum additional height allowed is thirty (30) feet above the height limit established for the applicable zoning district. This exception shall not apply when the site is adjacent to single-family zoned property. This exception may be used in conjunction with the height exception for rooftop equipment.

4. Telecommunications Facilities. Telecommunication facilities, including antennae, poles, towers, and necessary mechanical appurtenances, may be authorized to exceed the height limit established for the applicable zoning district, subject to the approval of a conditional use permit in compliance with [Chapter 16.52](#).

5. Basement. A basement is defined as a story that has its floor surface below the adjoining finished grade as both conditioned and unconditioned space per the California Building and Residential Codes.” SECTION 5. Section 16.22.050 (Measurement of Fence or Wall Height) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.22.050 Measurement of Fence or Wall Height.

Where there is a difference in the ground level between two adjacent parcels, the height of a fence or wall constructed along the property line shall be determined by using the finish grade of the highest contiguous parcel.”

SECTION 6. Section 16.22.060 (Walls Required Between Different Zoning Districts) of the Murrieta Municipal Code is hereby amended in its entirety to read as follows:

“16.22.060 Walls Required Between Different Zoning Districts.

Walls shall be provided and maintained between different zoning districts as follows:

A. Where a nonresidential or multi-family zoning district abuts a residential zoning district, a solid masonry wall of six feet in height shall be constructed on the zone boundary line. Walls may be constructed higher than six feet if the viewshed is not impeded and is subject to the approval of the Director;

B. Where a BP or IG zoning district abuts another zoning district, a solid masonry wall six feet in height shall be constructed on the zone boundary line;

C. Walls shall be of solid masonry construction and shall be of a decorative design when in view of public rights-of-way subject to approval of the director; and

D. The director may waive or modify requirements for walls between different zoning districts where a solid masonry wall already exists on the contiguous property if the following findings can be made:

1. The existing wall meets or can be modified to conform to the intent of this chapter;
2. Suitable landscaping can be installed adjacent to the existing wall to supplement and enhance the desired physical separation;
3. The existing wall can be protected to prevent vehicle damage, if necessary, and
4. Concurrence of the adjacent property owner can be obtained, to modify the existing wall to meet the requirements of this chapter.”

SECTION 7. Chapter 16.24 (Hillside Development) is hereby amended in its entirety to read as follows:

“16.24.010 Purpose.

The purpose of this chapter is to provide regulations for the development of areas in the *City* that, because of their topography, require special consideration to ensure that they are developed in a way that substantially maintains their natural character and environmental and aesthetic values to implement the *City’s* General Plan, and to provide for the safety, health, and welfare of the public by:

A. Providing guidelines and standards for development in visually sensitive *Hillside Areas* to minimize the adverse impacts of *grading* and to promote the goals and objectives of the *City’s* General Plan;

B. Maintaining an environmental equilibrium consistent with existing vegetation, wildlife, soils, geology, *slopes*, and drainage patterns, and to preserve natural topography and scenic character, including canyons, creeks, knolls, rock outcrops, and ridgelines whenever feasible;

C. Reasonably consider development proposals that feature water conservation and aquifer recharge techniques;

D. Reasonably consider development proposals that are sensitive to fire, flood, slide, *erosion*, pollution, or other safety hazards;

E. Reasonably consider sensitive development through flexible design and innovative arrangement of building sites by utilizing variable lot sizes, clustering, and setback variations;

F. Utilizing nontraditional design standards for streets and hillside *grading* where development quality and public safety are not affected;

G. Reasonably consider developments that incorporate desirable existing features of land (e.g., natural vegetation, viewsheds, topographic features);

H. Protecting significant natural areas for ecologic purposes, educational, and other scientific study purposes; 1. Encouraging the use of drought-tolerant plant material to protect *slopes* from soil *erosion* and slippage, preserve natural watershed, minimize fire hazard, and minimize the scarring and deformation of the natural landscape;

I. Limiting the impact of *cut slopes* on adjacent developed and undeveloped properties; and

J. Providing for appropriate intensity of development (e.g., density, massing, etc.) through a variety of design techniques to ensure that development intensity decreases as *slopes* become steeper (e.g., lot sizes appropriate for steeper topography and separation of structures sufficient to preserve a viewshed).

16.24.020 Applicability.

A. Location Consideration for Analysis. Notwithstanding any other provisions of this Code, the standards contained in this chapter apply to uses and structures within Hillside Areas that have a slope twenty-five (25) percent or greater and as designated within the boundaries of a Hillside Overlay Map. Additionally, please refer to Table 16.24-1 (Undeveloped And Developed Standards And Processing Requirements), Section 16.02.020 (Exemptions from Land Use Permit Requirements), and Section 16.24.080 (Exceptions) for activities and features exempt from review.

B. Basis for Slope Determinations. Slope determinations shall be based upon citywide contour data as provided on the City's website under the Geographic Information System webpage under Interactive Mapping.

C. Development Plan Permit Required. Hillside developments shall be subject to the approval of a development plan permit in compliance with Chapter 16.56, unless exempt per adopted *City* policy or State Law (Example: Accessory Dwelling Unit).

D. Applicability Criteria. The development standards, guidelines, and provisions of this chapter shall be applied to those portions of land with a predominance of natural slopes exceeding twenty-five (25) percent or greater and areas that are integrally contiguous. The provisions of this chapter shall apply to projects relating to subdivisions, permits, uses, structures, specific plans, master development plans, and associated site plans for development review as described under Table 16.24-1 (Undeveloped and

Developed Standards and Processing Requirements), except as specifically exempted by Section 16.02.020 (Exemptions from Land Use Permit Requirements), and Section 16.24.080 (Exceptions).

TABLE 16.24-1
UNDEVELOPED AND DEVELOPED STANDARDS AND PROCESSING REQUIREMENTS

Feature/Standard	Undeveloped / Natural	Both Undeveloped and Developed Portions of a Hillside Area Site	Developed
Hillside Development Plan Permit	Applies.	Applies to the Undeveloped / Natural portions of the site that were not previously legally disturbed/developed. Exempt from Permit for Developed Portions where the scope of work involves ≤ 50 cubic yards for flatwork, pools, spas, or other areas of the site that have been legally disturbed, and as described under Section 16.02.020 (Exemptions from Land Use Permit Requirements).	Exempt from Permit for Developed Portions where the scope of work involves ≤ 50 cubic yards for flatwork, pools, spas, or other areas of the site that have been legally disturbed, as described under Section 16.02.020 (Exemptions from Land Use Permit Requirements).
Permit Evidence for “Developed” Classification	N/A	Grading permits and records, Building Permits / Certificates of Occupancy, Approved Grading Plans	Grading Permits and Records, Building permits / Certificates of Occupancy, Approved Grading Plans
Agricultural Uses as it relates to a “Developed” Classification	N/A	“Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or	“Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or

		improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.	improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.
Evidence for “Developed” Classification without Permit History	N/A	Aerial Imagery. Subject to review by the <i>Director</i> for a determination. If there is a disagreement with the determination, it shall be referred to the Planning Commission for a final determination.	Aerial Imagery. Subject to review by the <i>Director</i> for a determination. If there is a disagreement with the determination, it shall be referred to the Planning Commission for a final determination.
Grading Permit	Applies.	Applies to the Undeveloped / Natural portions of the subject site that were not previously legally disturbed.	Applies if soil disturbance exceeds 50 cubic yards and is determined to be exempt by the <i>City Engineer</i> , per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).
		For the developed portion of a subject site, a grading permit is required if soil disturbance exceeds 50 cubic yards and is determined to be not exempt by the <i>City</i>	

		<i>Engineer</i> , per review of the criteria as described under Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).	
Fine Grade and Drainage Review	N/A	Subject to <i>City Engineer</i> review for the developed portions of the site, unless the Fine Grade and Drainage Review is determined not to be eligible, per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).	Subject to <i>City Engineer</i> review, unless the Fine Grade Drainage Review is determined not to be eligible, per Section 15.52.030 (Permits Required) and Section 15.52.040 (Permit Exceptions).
Accessory Dwelling Units (ADUs) & Accessory Structures	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.	Approval of an ADU is tolled for any required discretionary actions (e.g. grading permit) per State law.
	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit	Approval of Accessory Structures, 1,000 sq. ft. or greater, requires a Hillside Development Permit
All Projects located in a designated Hillside Area	All components are subject to hillside design standards	All components are subject to hillside design standards	All components are subject to hillside design standards

16.24.030 Definitions.

For the purposes of this chapter the following definitions shall apply:

Agricultural Use. “Developed” as it relates to a disturbed hillside area condition does not include agricultural uses or improvements customarily associated with agricultural operations, including but not limited to crop cultivation, grazing, orchards, vineyards, irrigation systems, fencing, or agricultural access

roads. The installation or maintenance of such agricultural improvements shall not, by itself, cause a hillside area to be considered “developed” for purposes of this Chapter.

City. The City of Murrieta, state of California, referred to in this development code as the “City.”

City Engineer. The director of Public Works/City Engineer of the city or their duly delegated representative.

City Manager. The official employed by an elected council to direct the administration of the City. See Chapter 2.08 “City Manager”

Clearing. The removal of vegetation (grass, brush, trees, and similar plant types) by hand or mechanical means (e.g. brushing, grubbing).

Cluster Development. A concept where structures are grouped on certain portions of a site, frequently of different shapes and sizes, surrounded by large expanses of open space.

Contour. A line drawn on a plan that connects points of equal elevation.

Cut. An act by which soil, sand, gravel, or rock is cut into, dug, quarried, uncovered, removed, or relocated, and shall include the conditions resulting therefrom.

Daylight Line. The line between the finished grade and natural terrain drawn by connecting points where proposed contours meet existing contours.

Developed. Means land that has been altered from its natural state through grading, excavation, fill placement, construction, paving, landscaping, or installation of infrastructure improvements.

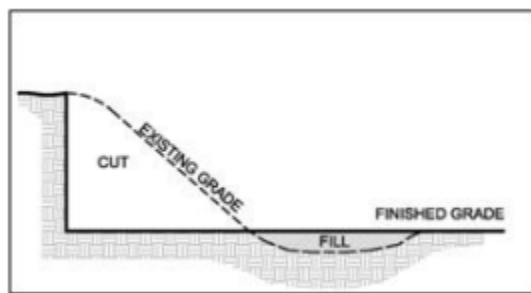
Director. See Section 16.46.050 “Director.”

Elevation. Height or distance above mean sea level.

Erosion. The process by which the soil and rock components are worn away and removed from one place to another by natural forces (e.g., wind, water)

Fill. A deposit of soil, sand, gravel, rock, or other material placed by artificial means.

Finished Grade. The final elevation of the ground surface after development, that is in conformance with approved plans.



Grading. To bring an existing surface to a designed form by excavating, filling, or landforming operations.

Contour Grading. A grading concept designed to result in earth shaping that resembles natural terrain characteristics.

Conventional Grading. A grading concept that results in simple, straight forward, cut and fill lines and even *slopes*.

Landform Grading. A grading method that replicates the irregular shapes of the natural ground surface. Landform graded land surfaces are characterized by continuous series of concave and convex forms interspersed with mounds that blend into profiles, nonlinearity in plan view, varying slope gradients, and significant transition zones, between man-made and natural land surfaces.

Hillside Area. Means those areas specifically designated on a Hillside Overlay Map as adopted by the City Council under Section 16.24.100.

Mass Grading. The movement of large quantities of earth over large areas. Disruption of the majority of the on-site surface terrain resulting in a successive pad/terrace configuration.

Minimal Grading. A grading concept designed to minimize excavation and filling. Allows the movement of earth for projects (e.g., as individual building foundations, driveways, local roads, and utility excavation). The concept is associated with roads conforming closely to natural contours and with structures being built on natural terrain.

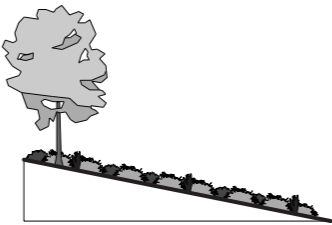
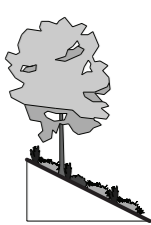
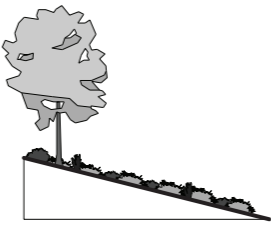
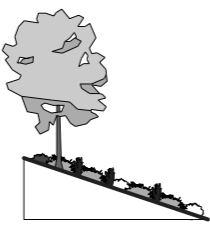
Pad. A level area created by grading to accommodate development.

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

Ridge. An extended, narrow, conspicuous elevation of land generally between valleys.

Slope. An inclined ground surface, the inclination of which is expressed as a ratio of the vertical distance (rise), or change in elevation, to the horizontal distance (run). The percent of a given slope is determined by dividing the rise by the run, multiplied by one hundred (100).

Undeveloped. Means land within a hillside area that remains in a substantially natural state and has not been significantly altered by grading, construction, paving, or installation of infrastructure improvements.

Ratio	Percent	Degree		Ratio	Percent	Degree	
5:1	20	11		2:1	50	25	
4:1	25	14		1.5:1	67	34	
3:1	33	18		1:1	100	45	

Slope, Man-made. A manufactured slope consisting wholly or partially of either cut or filled material.
Slope, Natural. A slope that is not man-made.

Slope, Natural. A slope that is not man-made that exceeds twenty-five (25) percent.

Slope Ratio. The relationship of a slope's horizontal length to vertical height, with the height specified as one (e.g. 2:1).

Slope Transition. The area where a slope plane changes to meet the natural terrain or a level graded area either vertically or horizontally.

16.24.040 Application Submittal Requirements.

Applications for development shall comply with the submittal requirements of this chapter. When a development project is a specific plan or master development plan, the submittal requirements shall be incorporated in the appropriate sections of the corresponding documents. If adequate detailed studies are provided with the specific plan and/or master development plan, subsequent implementing development applications shall be reviewed for substantial conformance with these plans.

Application filing requirements are as follows:

A. Natural Features Map. This map shall identify slope banks, ridgelines, canyons, natural drainage courses, United States Geological Survey (U.S.G.S.) blue-line streams, rock outcroppings, sensitive biological habitats, cultural resources, and other natural features for the purposes of project review and California Environmental Quality Act (CEQA) analysis.

B. Overall Conceptual Grading Plan. An overall conceptual *grading* plan shall be submitted at a minimum scale of one (1) inch equals twenty (20) feet). The plan shall include the following items:

1. A legend with symbols identifying the following, but not limited to: high point, low point, spot elevations, *pad*, top of wall, top of footing, top of curb, top of ground surface on both sides of a retaining wall, and planned drainage improvements;
2. A separate map shall be provided with proposed *cut* and *fill* areas, depths of these identified areas shown in five-foot topographic lines. Quantities of each *cut* and *fill* area shall be identified and calculated as a percentage of the total site area. The *cut* and *fill* areas shall be either colored green and red, cross-hatched, or screened to delineate each respective area;
3. *Contours* for existing and proposed topographic conditions shall be provided within submitted plan exhibits. Existing *contours* shall be depicted with continuous screened lines and proposed *contours* shall be depicted as above except with a solid line. *Contours* shall be shown at minimum intervals of two feet of change in elevation. Elevations of less than two feet shall be depicted with spot elevations; and
4. Additional information as required to assist with review of the project.

C. Drainage Map. A conceptual drainage and flood control facilities map describing planned drainage improvements. The map shall utilize *City* standards or an acceptable alternate as determined by the *City Engineer* or their designee.

D. Slope Profile Drawings. Cross-section slope profiles shall be included with the slope analysis. Additional profiles may be required as determined by the *City Engineer* or their designee. The slope profiles shall:

1. Be drawn at the same scale and indexed, or keyed, to the slope analysis map, *grading* plan, and project site map. Both vertical and horizontal scales shall be indicated;
2. Show existing and proposed topography, structures, and infrastructure. Proposed topography, structures, and infrastructures shall be drawn with a thin, solid line. Existing topography and features shall be drawn with a dashed line;
3. Extend at a minimum of one hundred (100) feet outside the project site boundary to clearly show the impact on adjacent property. Additional distance may be necessary to determine off-site terrain and features;
4. Be drawn along those portions of the subject site where:
 - a. The greatest portion of the site where alteration of existing topography is proposed;
 - b. The most intensive or massive portion of the site where development is proposed (e.g. where structures are proposed);
 - c. Where proposed *grading* would potentially impact existing natural drainage conditions.

5. At least two of the slope profiles shall be roughly parallel to each other and roughly perpendicular to existing *contour* lines. At least one other slope profile shall be roughly at a ninety (90) degree angle to the other slope profiles and existing contour lines.

F. Indicate Source of Data. Indicate the datum, source, data, and scale.

G. Geotechnical Report. A geotechnical and soils report shall be prepared by a registered geotechnical engineer to *City* standards and provide in sufficient detail to substantiate and support the design concepts presented in the application. Additional environmental technical studies and investigations, including, but not limited to, hydrologic, seismic, access/circulation, cultural, tribal cultural, and biological resources may be required to help in the determination of the buildable area of a subject site for consistency with project review and for California Environmental Quality Act (CEQA) analysis.

H. Objective Design Guidelines. Objective design guidelines shall be provided for projects that are to be reviewed by the Planning Commission. Otherwise, illustrative building *elevations* showing all sides of the structure shall be provided.

I. No Grading Proposed. See 16.24.080 (Exceptions) for applicability.

J. Additional Information. The following items may be required if determined necessary by the *City Engineer* or their designee to aid in the analysis of the proposed project:

1. A line of sight or view analysis;
2. Photographic and/or computer-generated graphic renderings; or
3. A topographic model and/or large-scale detailed partial model;

16.24.050 Project Review Procedures.

Projects within designated hillside areas shall be subject to review and approval by the director or the commission in compliance with the provisions of this chapter.

A. Director Approval. The director shall approve, approve with conditions, or deny development proposal applications when the following conditions apply:

1. Development plan permits;
2. Extensions of time; or
3. Building permit reviews.

B. Commission Approval. The commission shall approve, approve with conditions, or deny development proposal applications when one or more of the following conditions apply:

1. When padded building sites are proposed, or

2. Proposals referred to the commission by the director.

C. Modification of Requirements. The commission may modify or waive a development standard:

1. When an improved or more environmentally sensitive design would result. Further, where it can be demonstrated that imposing the objective hillside development standards would either render a parcel unbuildable and create a loss of its reasonable economic use, or place an undue restriction on the improvement of the property, development consistent with the *City's* General Plan shall be allowed subject to approval by the Planning Commission, if the following findings can be made:
 - a. The site is physically suitable for the design and siting of the proposed development. The proposed development will result in minimum disturbance of environmentally sensitive areas;
 - b. The *grading* in connection with the development would not result in soil *erosion*, silting of lower *slopes*, flooding, severe scarring, create other geological instability conditions, or a fire hazard condition that would affect the public's health, safety and general welfare for the *City*, as determined by the City Engineer.

16.24.060 Hillside Development Standards.

The following are minimum standards and shall apply to a use, development, or alteration of land in compliance with Section [16.24.020](#) (Applicability). These standards are supplemented by the provisions of the development guidelines contained in Section [16.24.070](#) (Hillside Development Guidelines) of this chapter.

A. Hillside Slope Categories. The following categories serve as guidelines for determining the applicability of hillside conditions at a subject site.

**TABLE 16.24-2
HILLSIDE DEVELOPMENT STANDARDS**

% Natural Slope Category	Standards
Under 25%	This is not considered a hillside condition. Please note that slope calculations shall not be rounded to the nearest whole number.
25% and Over but less than 50%	This is a hillside condition. Development within this slope category is limited to the less visually prominent <i>slopes</i> of a subject site, where it can be demonstrated that <i>grading</i> , vegetation removal, safety, aesthetic, and other environmental impacts are minimized. Potential impacts from site access and roadways shall be minimized by following natural <i>contours</i> or using grade separations. Proposed structures shall blend with the natural landform through their shape, material, and utilization of natural occurring color(s). Please note that slope calculations shall not be rounded to the nearest whole number.
50% and over ⁽¹⁾	This is an excessive slope condition, and development is prohibited.
	⁽¹⁾ This applies to the property as a whole.

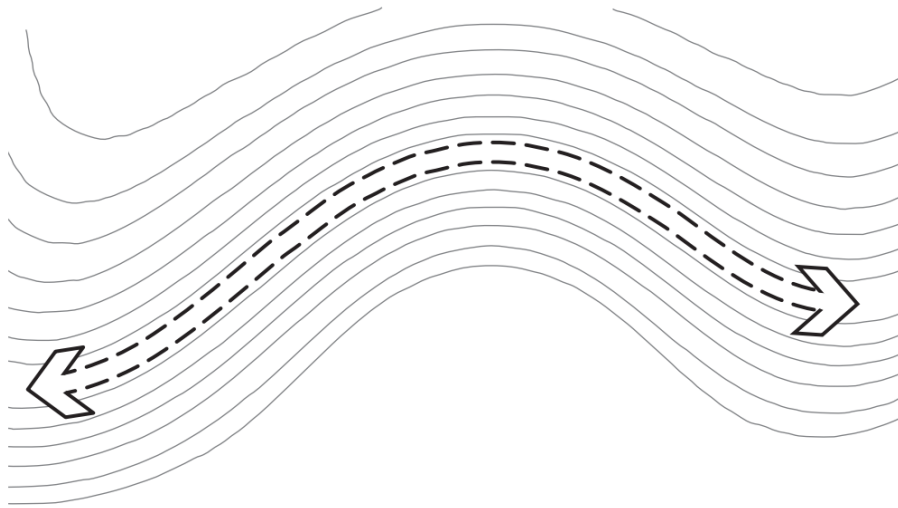
B. Site Design.

1. Projects shall incorporate clustering, variable setbacks, multiple orientations, and other site planning techniques to preserve open spaces, protect natural features, and offer views to residents.
2. When clustering techniques are utilized, the minimum lot sizes may be decreased to five thousand (5,000) square feet when it is necessary to preserve sensitive lands (e.g., hillsides, creeks, habitat areas, etc.). Lots may be allowed smaller than five thousand (5,000) square feet, but not smaller than four thousand (4,000) square feet, for up to twenty (20) percent of the total approved lots and only under an approved specific plan when necessary to preserve sensitive and Hillside Areas. Lots under five thousand (5,000) square feet are prohibited in slope areas of twenty-five (25) percent or greater.

C. Driveways and Roadways.

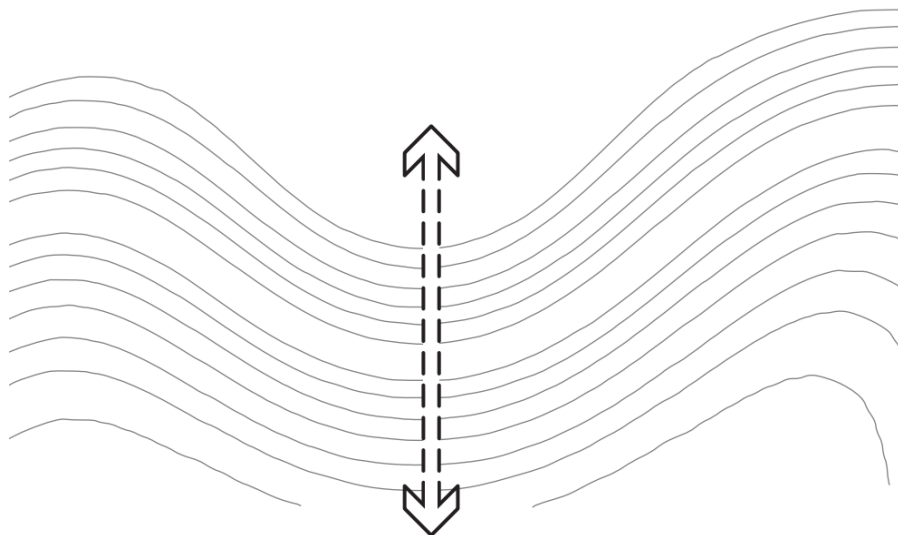
1. Driveways shall be designed in a manner as to when a vehicle is entering a public and /or private streets, adequate sight distance shall be maintained as determined by the *City Engineer* or their designee.
2. Driveways shall not be located within three feet of a side property line. Exceptions to this standard may be considered based on lot size, percentage of slope, drainage facilities and use as a common driveway by the *City Engineer* or their designee.
3. Only *slopes* less than fifty (50) percent (2:1) shall be permitted adjacent to driveways.
4. Driveway grades above fifteen (15) percent may only be considered by the *City Engineer* or their designee when driveways are aligned with the natural *contours* of the land, and are necessary to achieve site design, and safety considerations to the satisfaction of the building and safety official, City Engineer, or designee, and fire code official. Design considerations shall be employed, including the use of vertical curves. On proposed driveways with a slope greater than fifteen (15) percent, a coarse, all-weather paving material (e.g. asphalt or concrete), or grooves for traction, shall be incorporated into the design.
5. Roadways shall conform to the natural landform. Significant alterations to the physical and visual character of a hillside shall be avoided by eliminating large notches in ridgelines and wide straight alignments. Modified or reduced-width road sections and split sections shall be considered in the layout of hillside streets to reduce *grading* and *cuts* in topography while allowing access for fire trucks and other emergency vehicles.

This



Reduce grading by aligning roads along natural grades

Not This



Avoid running roads counter to steep grades

**FIGURE 16.24-1
ROADWAY PLACEMENT**

6. Where road construction is proposed, the standards shall be consistent with those identified for high fire hazard areas, the California Fire Code, and with *City* design standards.

7. The extent of vegetation and visual disruption shall be minimized by the combined use of retaining structures and regrading to approximate natural *slopes*. The view along a street frontage shall be screened with landscaping and the maintenance of views shall be preserved as demonstrated on the

project plans. The use of terraced walls and landscaping is a recommended design technique to address this visual impact.

8. Wet utilities shall be placed in the road right-of-way, where feasible, and approved by the reviewing agency.

9. Scaled roadway drainage facilities and grades shall be provided consistent with *City* design standards.

D. Architecture.

1. The maximum structure height shall be thirty (30) feet. Refer to Section 16.18.080.A (Maximum Height) for additional criteria on how to calculate the maximum height for a sloped parcel.

a. Architectural Projections Allowed. Architectural projections and variations in roof design are encouraged. Projections above the maximum height limits for architectural features may be allowed subject to approval by the *Director*.

2. Reduction of front yard setbacks may be considered in order to minimize rear yard grading.

3. Building materials and color schemes shall be of earth tones and the value (lightness or darkness) of the specific hue shall be as close to that of the immediately surrounding landscape as possible as demonstrated on the project plans.

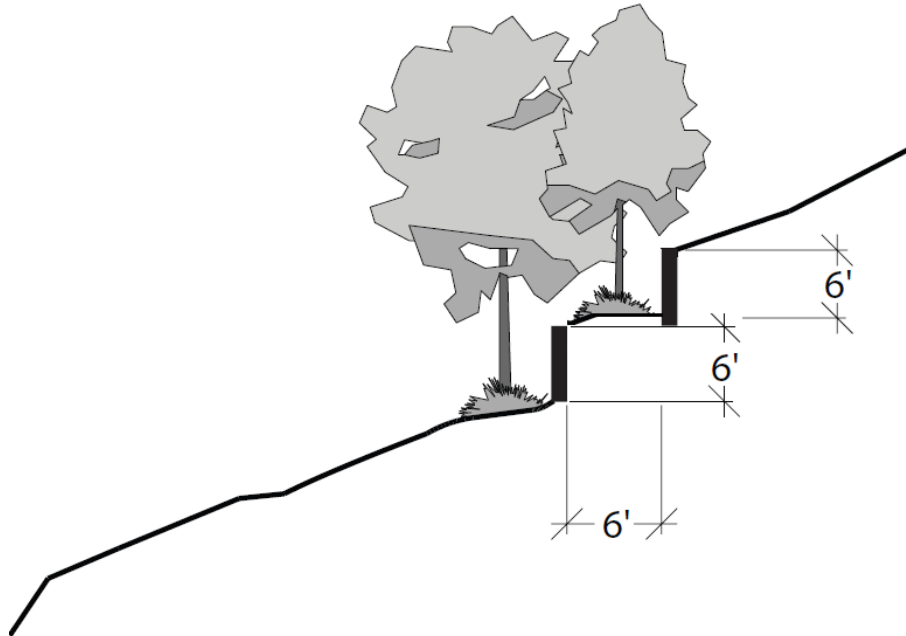
4. Treated wood or materials of a wood-like appearance, having the necessary fire retardant characteristics are a design option for exterior surfaces. Use of other natural materials (e.g., river rock) is a design option as well. The reflectivity of exposed surfaces (walls, roofs, windows, frames, and paved surfaces) shall be mitigated with the incorporation of overhangs, trellises, planting, and similar features.

5. Exterior lighting shall be located and shielded in compliance with Section [16.18.100](#) (Lighting).

E. Walls and Fences.

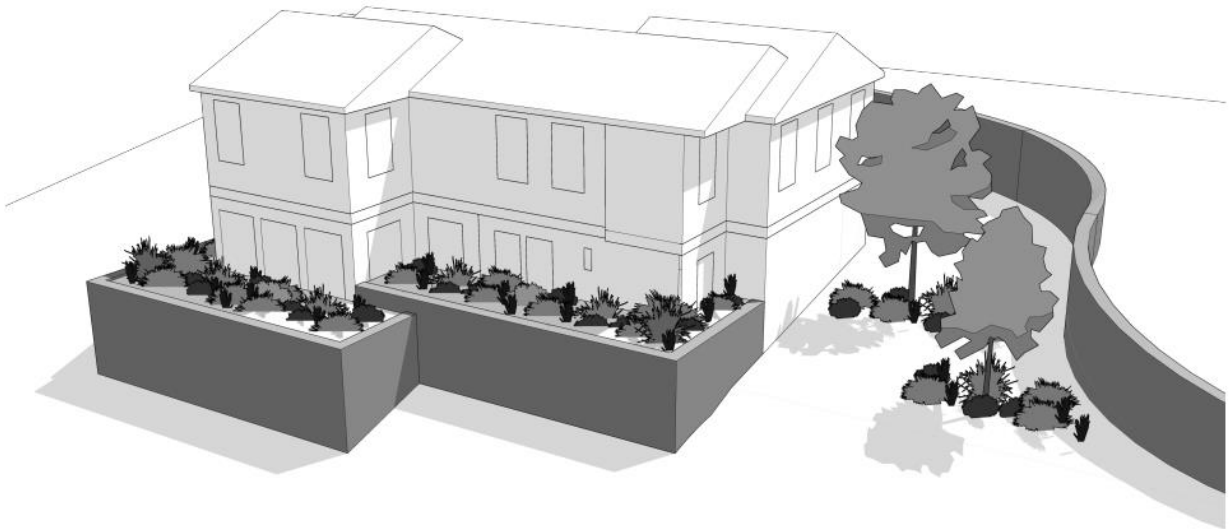
TABLE 16.24-3 RETAINING WALLS – WITHIN HILLSIDE AREAS	
Criteria	
Up to Three Feet Within Front or Street-Side Setback	Walls within the required front yard or street-side setback shall not exceed three feet in height, shall be separated by a minimum of three feet, and shall incorporate landscaping to screen the wall(s).
Line-of-Sight Locations/Visibility Triangles	For any required line-of-sight locations, or visibility triangles, a maximum of thirty inches in height shall be permitted.

Up to Six Feet.	Where multiple terraced retaining walls are designed to retain larger slopes, they shall not exceed six feet in height. Refer to Figure 16.24-2.
Over Six Feet	Prohibited, unless the applicant seeks a waiver or modification. The director may waive or modify the requirements of this standard if the following findings can be made: That the waiver of modification, as applied to the project, will not adversely impact adjoining properties; and That the waiver or modification will not be contrary to the public health, safety, and general welfare; and That the waiver or modification will ensure that the retaining wall incorporates additional screening measures where a wall would be visible from the public right-of-way, including, but not limited to, the use of earth-tone colors and/or landscaping, in order to maintain visual compatibility with the surrounding hillside area.
Over Six Feet and as Part of the Structure.	Walls that are an integral part of the primary structure may exceed six feet in height; however, their visual impact shall be mitigated through <i>contour grading</i> and landscape treatment. Refer to Figure 16.24-3.
Required Offset	At six feet in height, a retaining wall shall be separated by a minimum of six feet horizontally. Refer to Figure 16.24-2.



**FIGURE 16.24-2
HEIGHT OF RETAINING WALLS**

3. Walls that are an integral part of the primary structure may exceed six feet in height; however, their visual impact shall be mitigated through contour grading and landscape treatment.



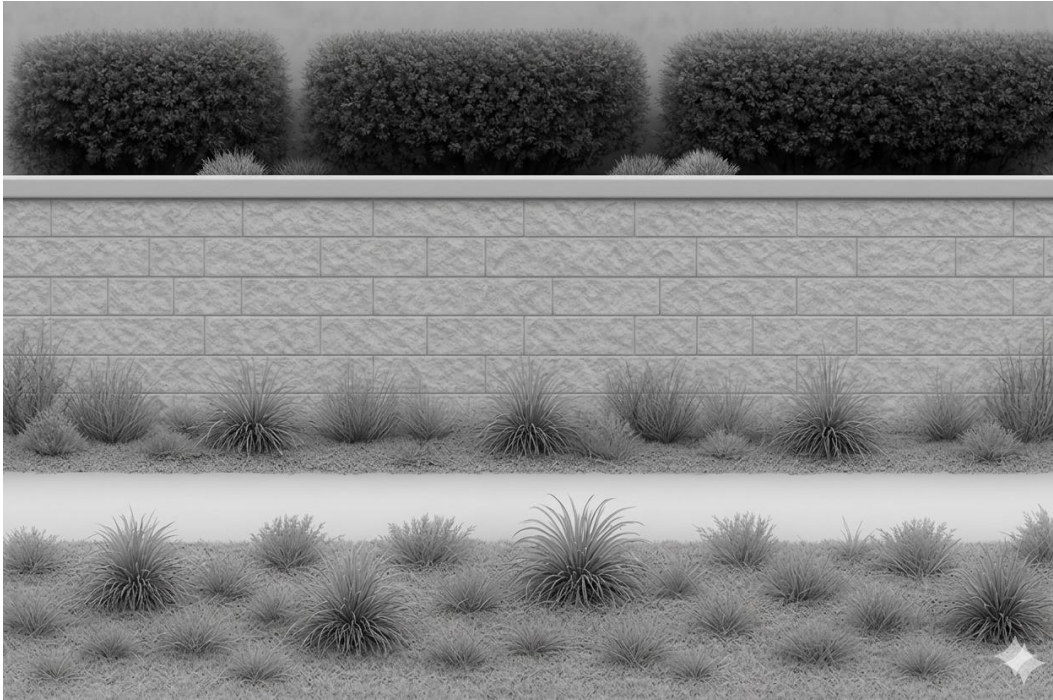
**FIGURE 16.24-3
RETAINING WALL AS PART OF PRIMARY STRUCTURE**

1. Retaining walls may be permitted when used to reduce grading, preserve natural features, or improve soil stabilization.

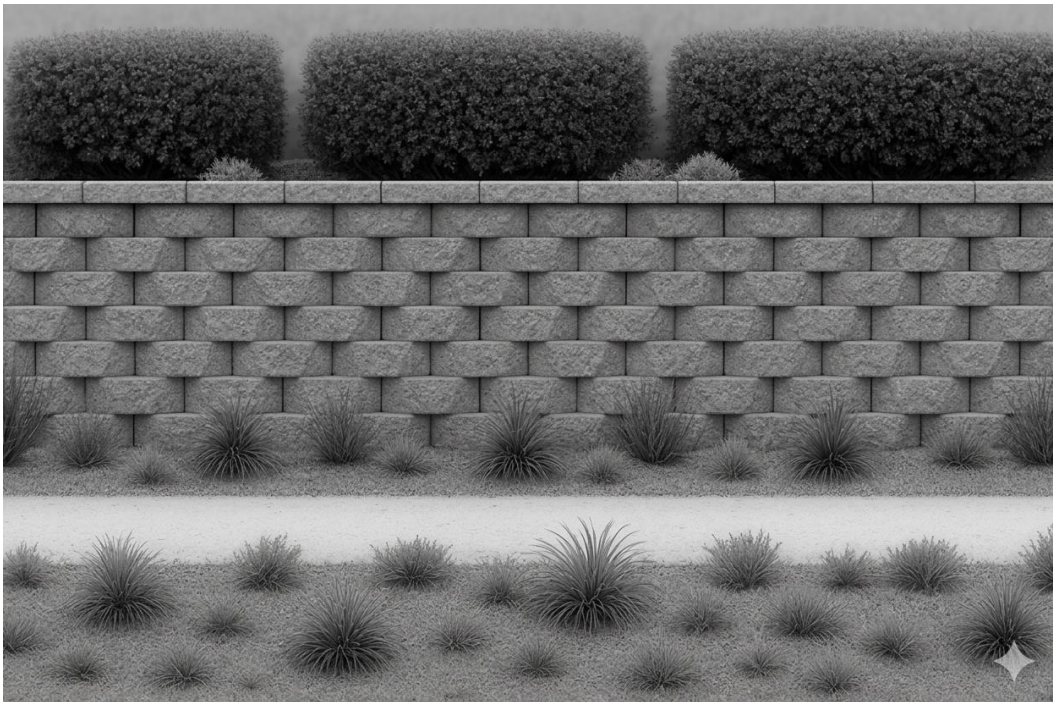
2. Split-face block, crib walls, keystone systems, retaining walls with stone veneer, and similar designs may be utilized.
3. The color palette and materials of a retaining wall or similar wall system should utilize earth-tone colors and be consistent with the predominant hues and materials of the adjacent hillsides.
4. If landscaping is proposed to be utilized in conjunction with a retaining or similar wall system, plant materials should be appropriate for the local climate and suited to the wall's sun exposure.



FIGURE 16.24-4
EXAMPLE OF DECORATIVE RETAINING WALL WITH A STONE VENEER



**FIGURE 16.24-5
EXAMPLE OF SPLIT FACE RETAINING WALL**



**FIGURE 16.24-6
EXAMPLE OF KEYSTONE RETAINING WALL**

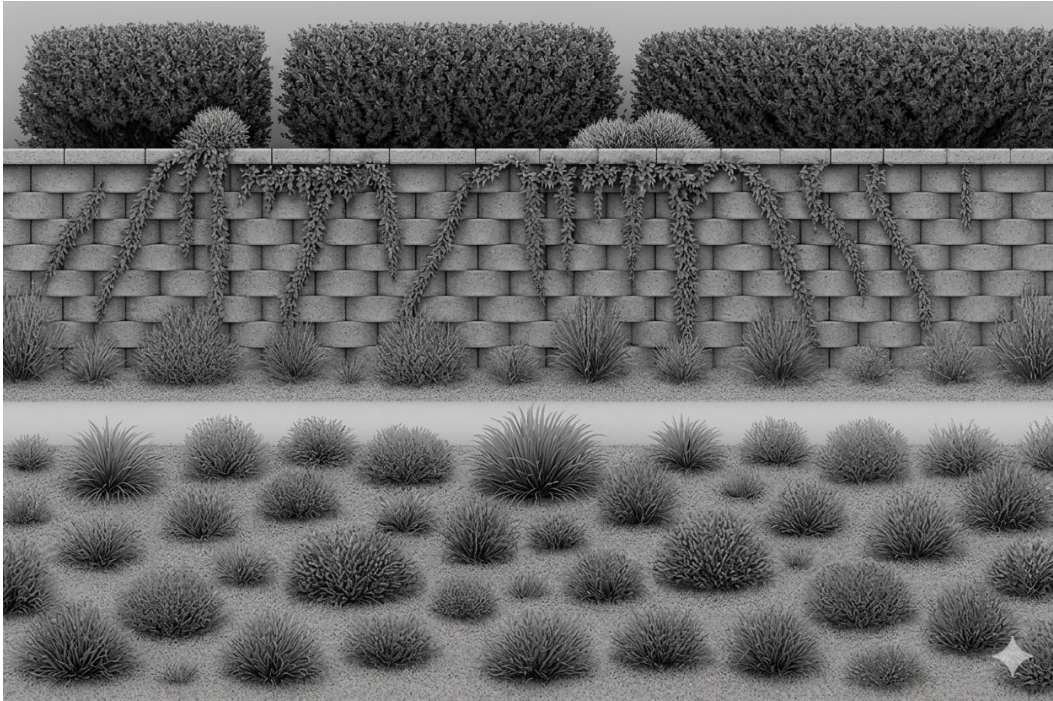


FIGURE 16.24-7
EXAMPLE OF KEYSTONE RETAINING WALL WITH LANDSCAPING

5. Retaining Walls visible from the public right-of-way shall be designed to provide variation in placement, use of planters, differing materials, and modulation of the wall plane to help emulate the pre-existing hillside contours.

6. Retaining Walls shall follow landform grading shapes and contours.

7. Tubular steel or wrought-iron safety fencing may be necessary in conjunction with retaining wall locations. If necessary, these wall locations are to provide for landscape safety maintenance personnel. Construction shall be consistent with the California Building Code (CBC) and related codes.

F. Landscaping. Revegetation in hillside areas shall reflect the visual patterns found naturally in local canyons and valleys. The landscaping as viewed from urban areas and the arterial roadway system shall mask and screen man-made structures.

1. Indigenous, or naturalized plants that blend naturally with the landscape shall be utilized in areas where planting is required. The plant selection shall be deep-rooted, drought-tolerant, and fire-resistant.

2. Natural landform planting shall be used to soften manufactured slopes, reduce the impact of development on steep slopes or ridgelines, and provide erosion control. These landscape techniques shall serve to reintroduce landscape patterns that occur naturally.

This

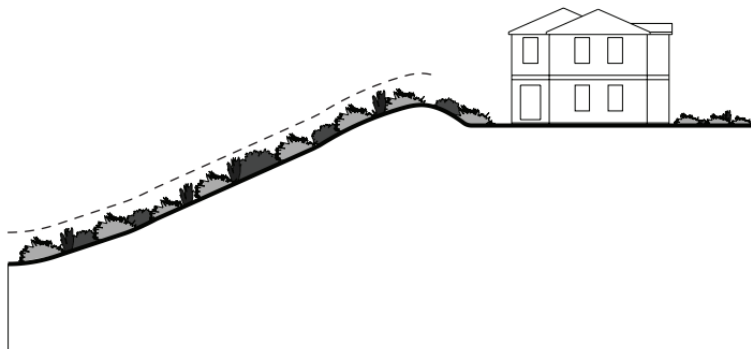
Landform Planting



Irregular visual plane in cross-section

Not This

Conventional Planting



Uniform visual plane in cross-section

FIGURE 16.24-8
NATURAL LANDFORM PLANTING

3. A “vegetative backdrop” shall be maintained by replanting the site with native trees and/or providing the same vegetation that was removed, consistent with *City* landscaping standards. As demonstrated in the project plans, the proposed vegetation shall be sized and spaced appropriately to screen structures from the growth of the species at maturity and to preserve the appearance of the natural skyline.

4. The surface of graded or disturbed slopes with three feet or greater vertical height shall be protected against damage by erosion through the planting of deep rooted ground cover as demonstrated on the project plans. Slopes exceeding eight feet in vertical height shall be planted with ground cover and a combination of shrubs and trees that have a high "root-to-shoot" ratio. The size of shrubs and trees shall be determined based on the individual project area as deemed appropriate by the department and/or Planning Commission.

5. Jute mesh or an equivalent shall be required when planting occurs between August fifteenth and April fifteenth, and when determined, as necessary, by a soils engineer and/or licensed landscape architect. Jute mesh shall be used in combination with required plantings as outlined in the slope landscaping guidelines available on the City of Murrieta's website for optimal long-term *slope* stabilization.

6. Indigenous, native vegetation shall be retained and supplemented within canyons and along natural drainage courses where grading does not occur, provided that it conforms with fuel modification and tire prevention plans.

7. Common open space areas, front, and side yards adjacent to a street shall be landscaped and irrigated consistent with *City* landscaping and fire protection standards. These areas shall be provided with native plant materials that blend with the natural character of the surrounding landscape.

8. In order to protect *slopes* from soil erosion and failure, and to facilitate revegetation, and automatic irrigation system shall be installed on *slopes* with planting. Design and operation of the irrigation system shall respect the special conditions that exist in hillside situations specific to maintaining *slope* stabilization and integrity. In all cases, the emphasis shall be toward using plant materials that may eventually not need to be irrigated; therefore, temporary irrigation systems may be used as approved by the *City's* landscape architect and *City Engineer*. Water and energy conservation techniques shall be utilized (e.g. drip irrigation, alluvial rockscape, etc.). Where irrigation systems are installed above ground, ultraviolet light-resistant brown line, or other approved color, shall be used.

9. A permanent fuel modification area shall be required around projects that are located within high or very-high fire severity zone, adjacent to a high or very-high fire severity zone, or exposed to hazardous fire areas for the purpose of fire protection. The fuel modification area shall be maintained by its owners, a homeowners' association, or other public nonprofit agency, or conveyed within a public easement. Adequate provisions shall be made for the continual maintenance of these areas, and the fire code official may require brush, vegetation, combustible item(s), or debris to be removed, cleared, and maintained, consistent with the provisions of Chapter 8.32 of the Municipal Code. Where feasible, fuel modification areas shall be designated as common open space rather than private open space. The recommended width of the fuel modification area shall be based on applicable building and fire codes and the recommendations of the fire code official with consideration given to:

- a. A worst-case Santa Ana wind condition;
- b. The natural ungraded slope of the land within the project and in the areas adjacent to the project;
- c. Fuel load;

d. All weather access to the project by fire suppression equipment and personnel, access directly to the fuel modified area, and egress out of the project area in case of evacuation;

- e. The on-site availability of water that can be used for firefighting purposes with regard to fire flows, water pressure, and duration;
 - f. "Built-in" fire protection within structures (i.e., sprinklers etc.);
 - g. Soil erosion and sediment control measures;
 - h. The fire department fuel modification policy and the Wild Urban Interface Undesirable Plants & Trees list;
 - i. Fuel modification zones for landscaping as outlined by the California Department of Forestry and Fire Protection.
10. Fuel modification areas shall also incorporate soil erosion and sediment control measures to alleviate permanent scarring and accelerated erosion.

G. Grading.

1. *Grading* shall not take place on natural *slopes* that exceed fifty (50) percent.
2. *Slopes* created by *grading* of the site shall not exceed fifty (50) percent or 2:1. Slopes exceeding 2:1 but less than or equal to 1.5:1 may be considered upon additional analysis by a licensed geotechnical engineer. *Slopes* shall not exceed thirty (30) feet in height between terraces or benches, except that the Planning Commission may permit *slopes* exceeding these dimensions where the *slopes* will result in a natural appearance and will not create geological or *erosion* hazards. The soils report and stabilization study shall be subject to third-party review prior to approval by the *City*.
3. In order to help address visual impacts at *Prominent Ridgelines*, the use of the combination of naturally occurring vegetation (trees/shrubs) and proposed landscaping shall be implemented to screen proposed structures at these locations. Alternatively, earth tone colors can be used as a design option if landscape screening is not feasible. Additionally, any required Fuel Modification Zone and California Fire Code standards shall be considered in the design of this screening method, blending with the terrain and existing vegetation.
4. *Clearing* and/or grubbing, excavation, and other earth disturbances shall not be initiated on *hillside areas* prior to the issuance of a *grading* permit, with the exception of county/state authorized soils remediation operations, drill holes, and exploratory trenches for the collection of geologic and soil data or for weed abatement activities. Trenches are to be backfilled and *erosion* treatment provided where *slopes* exceed twenty-five (25) percent.
5. Manufactured *cut* and *fill slopes* exceeding ten feet in height which would be either exposed to public view, or are adjacent to environmentally sensitive areas, shall be *landform* or *contour* graded, where physically feasible, so that their ultimate appearance will resemble a natural slope. This will include *slopes* adjacent to streets and highways, *slopes*, adjacent to parks, schools, open spaces, and other public facilities and other prominent slopes.
6. *Landform grading* shall be used where zero to twenty-five (0-25) percent (non-hillside) *slopes* intersect with twenty-five to fifty (25-50) percent (hillside) *slopes*. Proper transitioning from manufactured *slopes* created by *conventional grading* methods to natural *slopes* shall be achieved

gradually and naturally through the use of radii or irregular curvilinear shapes that will blend into the adjoining topography tangentially and not create abrupt changes.

7. Fill *slopes* shall not be placed perpendicularly across a canyon. Straight line *cut* of *fill slopes* shall not be made to appear like a dam. The terminus of the *fill* shall, instead, be concave in shape to restore the canyon appearance. This concave configuration shall be in combination with the use of substantially flatter *slope ratios* (4:1, 3.5:1, 3:1) at or near the center of this indentation. Symmetrical or unsymmetrical con-cave configurations shall be used depending upon the adjoining or underlying topographic characteristics.

8. Minimal radius rounding at the edges of *cut* and *fill slopes* is not an acceptable method. Transitioning from manufactured *slopes* to natural *slopes* shall be achieved gradually and naturally through the use of radii or irregular curvilinear shapes that will blend into the adjoining topography tangentially and not create abrupt changes.

9. In the planning, design, and development of public utilities and infrastructure, every reasonable effort as demonstrated shall be made to minimize *grading* impacts and incorporates a design that follows the natural *contours* and character of the land.

10. Side yard *slopes* and rear yard slopes (less than twenty (20) feet in height) whose view is blocked by future structures need not have landform design applied.

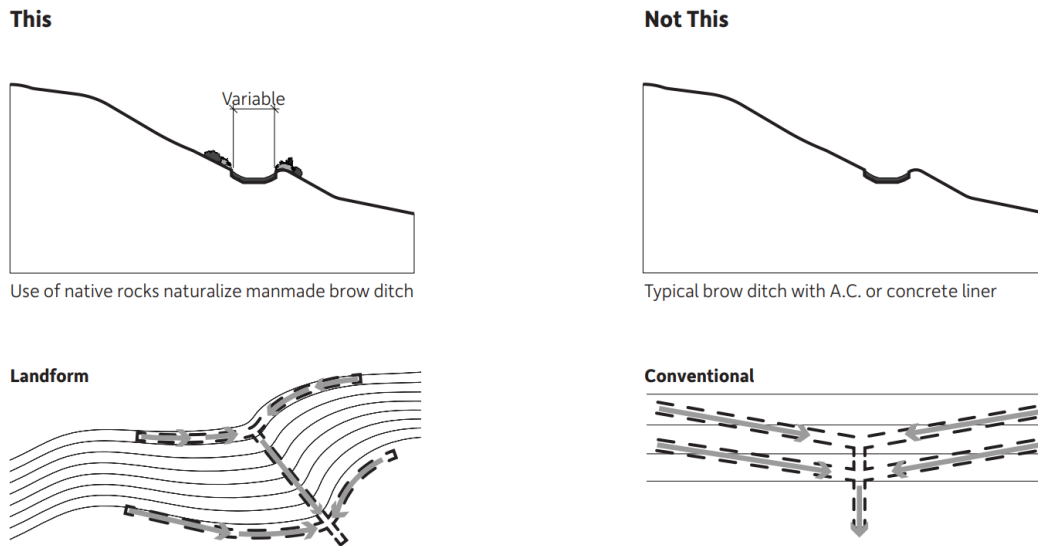
11. *Grading* shall be phased so that prompt revegetation or construction will control *erosion*. Where possible, only those areas that will be built on, resurfaced, or landscaped shall be disturbed. Top soil shall be stockpiled during the rough *grading* phase and utilized on *pads* or revegetated habitat areas, upon the recommendation of the soils engineer.

12. Applicable requirements of the City and state shall be complied with in conjunction with the latest National Pollution Discharge Elimination System (NPDES) permit prior to the issuance of a *grading* permit. This may include, but is not limited to, a *Grading Plan*, and *Erosion Control Plan*, Best Management Plan (During Construction and Post-Construction Phases) and Construction Monitoring Program.

H. Drainage.

1. Debris basins, energy-dissipating devices, and down drains shall be provided, where necessary, to reduce *erosion* when *grading* is undertaken in the *hillside areas*. Natural drainage courses shall be retained where health and safety can be maintained. Drainage courses retained in a natural state shall be protected from grading activity. In instances where a crossing is required, a natural crossing and bank protection shall be a design option over steel and concrete systems. Where drainage structures are required, they shall be naturalized with coloration, plant materials, native rocks and/or concealment with *grading* techniques.

2. Drainage channels, slope drainage devices, interceptor drains and terrace drains shall be placed in less visible locations as demonstrated on the project plans and evaluated for erosion. Down drains shall be hidden in swales diagonally or curvilinear across a slope face. In this manner they will be built into the overall landform of the slope. They shall also receive a naturalizing treatment, which may include native rock, colored concrete, and/or landscaping so that the structure appears as an integral part of the environment. In all cases, a concrete liner shall be used in addition to a naturalizing treatment as demonstrated on the project plans and evaluated for erosion.



**FIGURE 16.24-9
NATURALIZED VERSUS CONVENTIONAL LANDFORMING**

3. Cross-lot drainage usage shall be minimized. In situations where this is not possible using conventional design, optional techniques (e.g., single loaded streets, reduced densities, etc.) shall be considered. Use of cross-lot drainage may be considered only after demonstration that this method will not adversely affect the proposed lots or adjacent properties, and that it is required in order to minimize the amount of *grading* which would result with conventional drainage practices.

4. Where cross lot drainage is utilized, the following shall apply:

a. Project Interiors. One lot may drain across one other lot if a maintenance easement is provided within either an improved, open “V”-swale gutter which has a naturalized appearance, or within a closed drainage pipe that shall be a minimum twelve (12) inches in diameter. This drainage shall be conveyed either to a public street or to a drainage easement. If drainage is conveyed to a private easement, it shall be maintained by its owners or a Homeowners' Association; otherwise, the drainage shall be conveyed to a public easement. The easement width shall be determined on an individual basis and shall be dependent on appropriate hydrologic studies and access requirements. Irrigation lines shall be placed above swales to minimize the impacts in the event of a system failure. When irrigation lines cross an open “V”-swale they shall be placed into a galvanized pipe, which is to be clamped to the soil on both sides of the swale subject to the review of the *City Engineer* or their designee.

b. Project Boundaries. On-site drainage shall be conveyed in an improved open “V”-swale gutter, which has a naturalized appearance, or within an underground pipe in either a private drainage easement, that is to be maintained by its owners or a homeowners' association, or it shall be conveyed in a public easement. The easement width shall be a minimum of ten feet. A greater width may be determined necessary on an individual basis and shall be dependent on appropriate hydrologic studies and access requirements.

I. Public Safety.

1. Residential developments shall be constructed in a manner so as to reduce the potential for spread of wildfires as follows:

a. In the case of a conflict where more restrictive provisions are contained in the adopted and/or locally adopted version(s) of the California Building Code or in the California Fire Code, the more restrictive provisions shall apply.

b. Roofs shall be covered with noncombustible materials (e.g., clay tile, concrete shake, tile, or similar materials). Open ends shall be stopped in order to prevent bird nests, or other combustible material, lodging within the roof and to prevent entry of flames.

c. Exterior walls and fences shall be surfaced with noncombustible or flame resistive materials. Alternate surface materials may be approved subject to the approval of the fire code official and building official. Except as otherwise provided herein, exterior walls shall extend to the ground.

d. Balconies, patio roofs, eaves and other similar overhangs shall be of noncombustible or flame resistive materials.

e. Plastic webbing, split or whole bamboo, reed or straw-like materials, corrugated plastic or fiberglass materials, and similar flammable materials are not permitted for use on patio covers.

f. Vents for attics and underfloor areas shall be designed and located to minimize the likelihood of the spread of fire.

g. Chimneys shall be provided with approved spark arresters.

2. Adequate water supply and pressure for the proposed development shall be required in compliance with the fire department Standards.

3. The fire code official shall require brush, vegetation, or combustible debris to be removed and cleared within ten feet on each side of every roadway and access drive, and may enter upon private property to do so. This requirement shall not apply to single specimens of trees, ornamental shrubbery, or cultivated groundcover provided they do not form a means of readily transmitting fire.

4. If the fire code official determines in a specific case that difficult terrain, danger of *erosion*, or other unusual circumstances make strict compliance with the clearance of vegetation undesirable or impractical, he or she may suspend enforcement thereof and require reasonable alternative measures designed to advance the purposes of this chapter.

5. Site design shall provide for all-weather equipment access to publicly maintained slope areas for maintenance and emergency purposes. Secondary access shall be provided, or an alternative method may be considered by the fire code official with evidence to ensure public safety.

6. Structures and facilities shall be restricted in geologically hazardous areas.

7. Special construction features shall be required in the design of structures where site investigations confirm potential geologic hazards.

8. Development not on public sewers shall be permitted only after site specific investigations have been conducted that demonstrate the soils are suitable for on-site wastewater disposal and the disposal of wastewater will not degrade the subsurface water quality.

9. Due to the hazard associated with saturated soils in areas of steep *slopes*, irrigation systems in critical areas that have the potential for failure in the judgement of the *City Engineer*, or their designee, shall be required to be equipped with potentiometers to make sure that the systems will not operate when there is sufficient moisture in the soil.

16.24.070 Hillside Development Guidelines.

The hillside development guidelines are intended to illustrate and amplify the appropriate development concepts for designated *hillside areas*. The guidelines are not intended to be an exhaustive list of standards, but rather policy statements, to encourage development that is sensitive to the unique characteristics common to hillside properties. The guidelines allow for flexibility and they encourage creativity, especially where a specific plan is prepared. However, the objective development standards provided in Section [16.24.060](#) shall be considered as a "benchmark" against which hillside development proposals will be reviewed for compliance with the purposes of this chapter.

The guideline's purpose is to allow for innovative or alternate methods of design in *hillside areas*. Innovation is encouraged as long as the end result is one that respects the natural character of the hillside and is consistent with the purposes of this chapter and the goals, objectives and policies of the *City's* General Plan .

Conformance with the guidelines shall be incorporated in the preparation and approval of subdivisions and individual site developments. During the application review process, the *City* will evaluate the consistency of the proposal with the purposes of this chapter. Prior to the start of the design effort, it is recommended that the project design team members read the *City's* General Plan and become familiar with its policies.

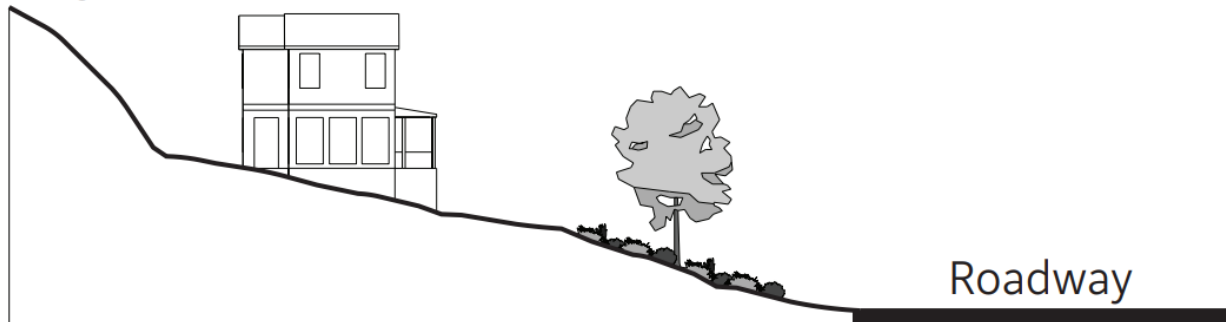
A. Site Design.

1. Design of building sites shall be sensitive to the natural terrain. Structures shall be located in a way that minimizes *grading* and preserves natural features (e.g., prominent knolls, ridgelines, etc.)

2. Preserve views of significant visual features.

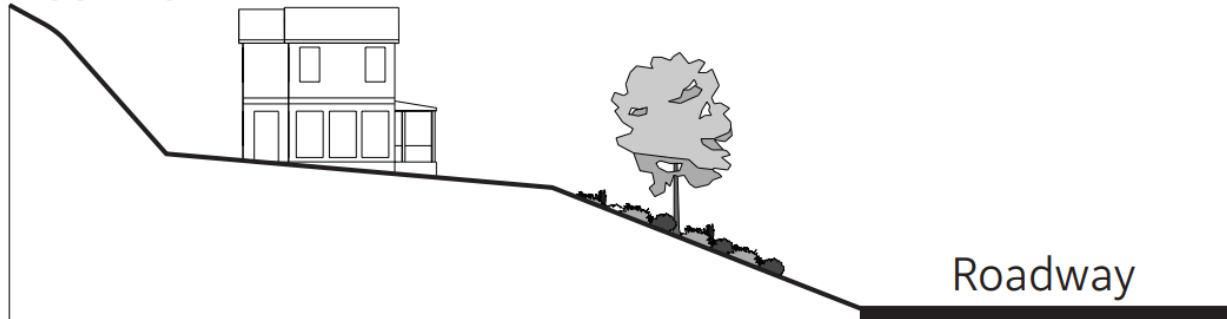
3. Where possible, graded areas should be designed with manufactured slopes located on the uphill side of structures.

This



Slopes should be rounded to provide a more natural appearance. Large manufactured slopes should be located on the uphill side of the structure to reduce the appearance of grading from the roadway. Retaining walls may be used.

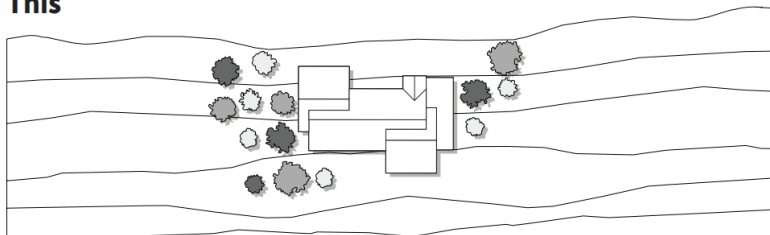
Not This



**FIGURE 16.24-10
EXHIBIT 2 - BUILDING PLACEMENT AT A SITE**

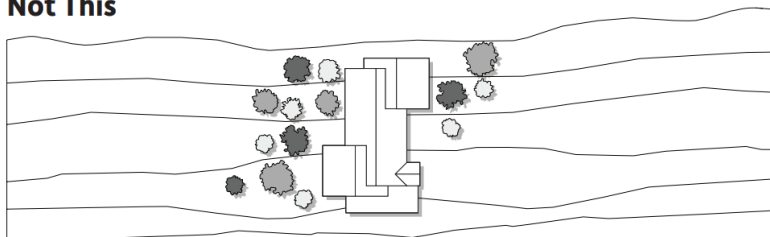
4. To the extent possible, the width of a building, measured in the direction of the slope, shall be minimized. The degree of the *slope* will dictate how this is accomplished and shall be demonstrated on the project plans (See Figure 16.24-11 Exhibit 3 – Building Placement at a Site.”

This



Building pulls back from steeper slopes and ravines on the hillside. Minor building protrusions perpendicular to the contours are acceptable when inset in hillside. Building is parallel with the contours.

Not This



Building is perpendicular to the contours.

**FIGURE 16.24-11
EXHIBIT 3 - BUILDING PLACEMENT AT A SITE**

5. Clustering of development is encouraged.

B. Driveways and Roadways.

1. Driveways that serve more than one parcel are encouraged as a method of reducing *grading*, paving, and site disturbance.

Driveways that serve more than one parcel reduce unnecessary grading, paving, and site disturbance.



**FIGURE 16.24-12
ROADWAY PLACEMENT AT A SITE**

C. Architecture.

1. The form, mass, and profile of the individual buildings and architectural features shall be designed to blend with the natural terrain and preserve the character and profile of the natural slope. Techniques to accomplish this include:
 - a. Detaching the garage from the residence; and
 - b. Integrating retaining walls into garage walls on sloping lots to reduce *grading* and minimize visibility of walls; and
 - c. Including architectural enrichments and variations in roof massing. Roofs shall incorporate low profiles (for example 3:12 slope) to minimize their visual impact. On sloping land, the roof pitch shall

follow the slope of the hillside, instead of being perpendicular to the hillside or opposing hillside *slope*. Gable ends shall not be used on downhill elevations. Upper stories shall not be cantilevered out of the opposite direction of the hillside slope.

2. The design of the structure shall give consideration to the lot's size and configuration in order to avoid the appearance of building scale and to minimize the blocking of views as demonstrated on the project plans. For example, within a development, the majority of the units should not be designed with minimum setback to minimum setback. See additional criteria as provided under Section 16.08.030 "Single-family Residential Design Standards and Design Features" and Section 16.08.040 "Multi-family Residential Design Standards".

D. Walls and Fences.

2. When possible, walls and fences shall be designed as an integral part of the building in order to minimize the visual impact on surrounding areas.

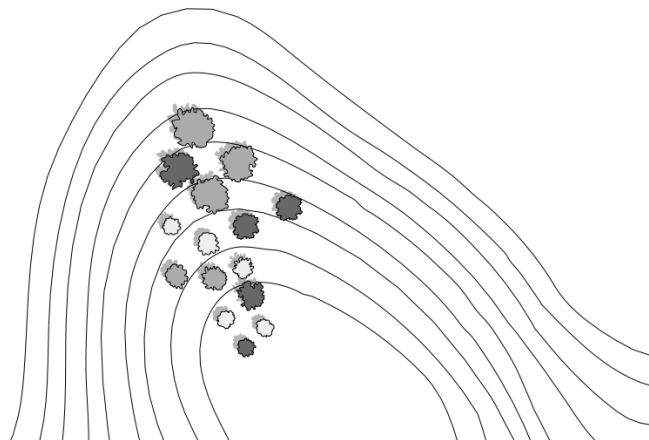
E. Landscaping.

1. Street trees shall be provided in select areas to enhance the natural character of the areas and to create a more rural appearance. Street tree species selection, and spacing of trees, shall be sensitive to the context in which they are planted. Species selection shall be considered to minimize potential impacts to infrastructure improvements (i.e. root damage to streets, sidewalks, etc.).

2. *Slopes* shall be designed with informal clusters of trees and shrubs to soften and vary the slope planes, consistent with *landform grading* concepts.

This

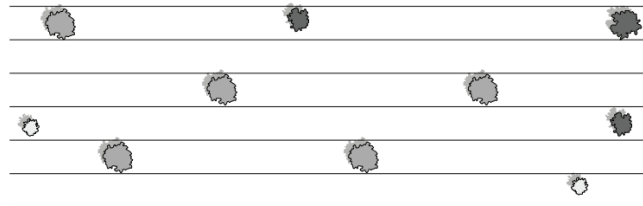
Landform Revegetation



Groundcover only for convex areas. Trees and shrubs clustered in concave areas. Larger species at bottom.

Not This

Conventional Landscaping



Trees and shrubs spaced for uniform coverage.

**FIGURE 16.24-13
BUILDING ENVELOPE ON SLOPE**

F. Grading.

There are three distinct types of grading proposed in these guidelines, each with a unique quality, and each with an individual and appropriate application as determined by the *City Engineer* or designee. Larger sites will most likely incorporate all three concepts in various parts of the plan.

1. Minimal Grading. This is typically used for large lot single family homes, custom homes with variable foundations that conform to the existing *slopes*, and other uses that utilize the least amount of *grading* in order to get the facility and structures built. This technique embraces the following concepts:

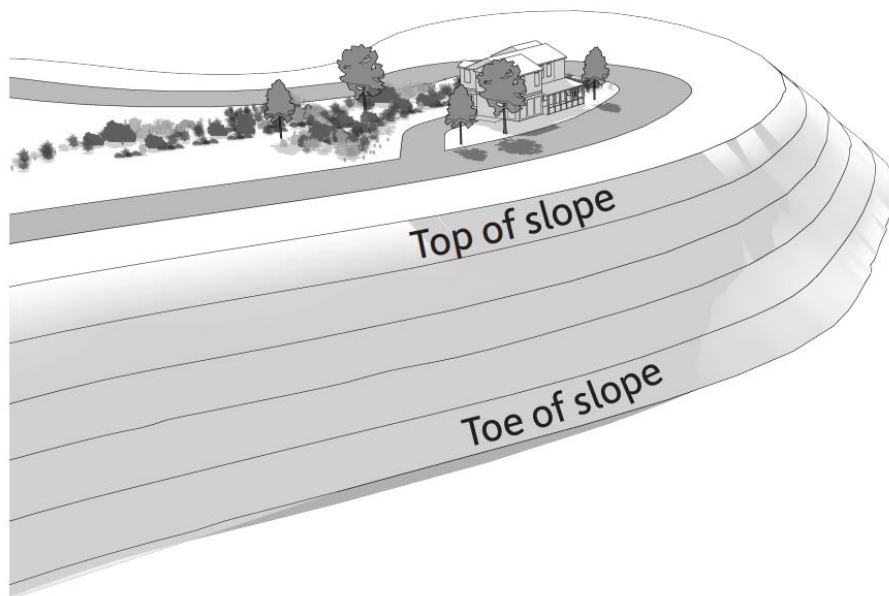
- a. *Grading* shall be limited to individual flat graded pad areas for residential building sites. *Grading* shall be limited to only the required building areas and adjacent outdoor amenities in steep *hillside areas*;
- b. Foundation systems that require little or no *grading* are encouraged, forcing the architecture to conform to the land rather than the land to conform to the dwelling;
- c. *Cut* and *fill* lines delineating the grading activity whereby *cut* areas adjoining next to *fill* areas shall be situated outside of areas where differential settlement is not desirable (e.g., roadways, building pads, driveways, etc.);
- d. The balancing of *grading* is the concept to minimize the volume of cubic yards of earth excavated and filled.

2. Contour Grading. This concept results in post-development landforms that exhibit many of the characteristics present within natural landforms. *Contour grading* is typically used in situations where conventional, terraced, grading with benches and *slopes* might be used but a "softened" *grading* look is desired. This would be desirable for areas that are limited in public view (i.e. concealed rear yards).

Typically, *contour grading* can reduce required *cut* and *fill* volumes as compared with traditional, terraced, *grading*. The design elements associated with this type of *grading* include: (See Figure 16.24-14 “Contour Grading”)

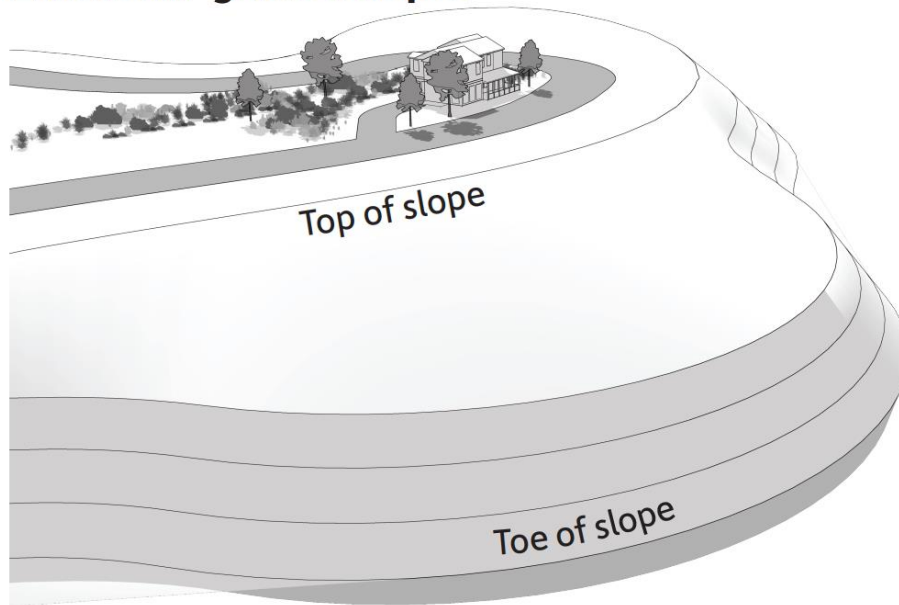
- a. The use of horizontal and vertical curve variations for slope banks creating a curvilinear pattern;
- b. Post-development landforms that exhibit natural terrain characteristics (without the heavy modeling effects of *landform grading*);
- c. A general rounding of *slopes* at *slope* intersections and transition zones with natural grade;
- d. *Pad* configurations that are curvilinear; and
- e. *Slopes* that are designed with *contour grading* techniques (e.g., the location of *slopes* behind structure (not in side yards), *slopes* in hidden locations, or *slopes* less than ten feet in height).

Contour-graded slopes



**FIGURE 16.24-14
CONTOUR GRADING**

Landform-graded slopes



**FIGURE 16.24-15
LANDFORM GRADING**

3. Landform Grading. Graded *slopes* in this category will replicate the irregular shapes of natural *slopes*. *Landform grading* techniques shall be used whenever *slopes* are created that will be open to public view.

The intent of these *grading* guidelines is to incorporate the basic principles of the *landform grading* concept as the preferred method in the design and construction of hillside development projects. (See Figure 16.24-15 “Landform Grading”)

Landform grading techniques shall incorporate the following concepts:

- a. Land plans shall flow with the natural topography rather than against it. This means that street patterns and building *pad* configurations shall follow the underlying topographic features rather than cutting across them;
- b. Landform graded slopes are characterized by continuous series of concave and convex forms interspersed with mounds that blend into profiles with varying slope gradients and with significant transition zones between man-made and natural slopes;
- c. Slope drainage devices either follow natural lines of the slopes or are tucked away in special Swale and berm combinations in order to conceal the drains from view. Exposed segments in visible areas are treated with natural rock for a more aesthetically pleasing appearance;
- d. This technique shall be used wherever possible to provide for a variety of slope percentage, slope direction, and topographical detailing in a three-dimensional, undulating pattern similar to existing terrain; and

e. Manufactured *cut* and *fill* slopes in excess of ten feet in height that will be either exposed to permanent public view or are adjacent to environmentally sensitive areas, shall be designed with features characteristic of natural *slopes*. This design shall be implemented, as determined by the *City Engineer* based on the project plans so that the ultimate appearance will resemble a natural slope. This is applicable to, but not limited to, *slopes* along streets, highways, adjacent to parks, schools, open spaces, other public facilities, and other prominent and visible *slopes*.

4. The following *grading* guidelines and techniques serve to implement preferred *landform* grading techniques and help avoid unnecessary *cut* and *fill*:

a. *Cuts*. When grading into convex landforms (i.e., outward-projecting features), the resulting cuts shall maintain a similarly projecting form and be contoured to blend seamlessly with the undisturbed portions, thereby preserving a natural-appearing landform.

b. Use of variable slope ratios. Because landform grading designs require the use of variable slope ratios, this may result in loss of usable area near building pads. Therefore, only cut slopes may be steeper than 2:1, but not steeper than 1.5:1 and shall meet the following guidelines:

1) A geotechnical engineer shall certify that *slopes* will meet standard stability requirements;

2) A licensed landscape architect shall certify the plantability of the *slopes*, with an emphasis on the *slopes* steeper than 2:1; and

3) The overall ratio from top to toe will be 2:1 or flatter; and

4) Ratios flatter than 2:1 will also be used in the slope design.

c. *Grading* operations shall occur to avoid the rainy season, October fifteenth (15th) to April fifteenth (15th). *Grading* permits shall only be issued when a plan for *erosion* and sediment control has been approved by the *City* without regard to time of year. Additionally, those projects also requiring a Storm Water Pollution Prevention Plan (SWPPP) shall obtain approval of the SWPPP prior to any grading permit issuance.

d. Rounded and smooth transitions shall occur where man-made and natural *slopes* intersect. Where *cut* or *fill* conditions are created, *slopes* shall be varied. The angle of a graded *slope* shall be gradually adjusted to the angle of the natural terrain.

e. Manufactured *slopes* adjacent to roadways shall be consistent with the *landform grading* and revegetation techniques.

f. *Slopes* shall implement drainage measures as detailed within Sub-article 11 of the City of Murrieta Grading Manual.

G. Drainage.

1. Natural drainage courses shall be preserved and enhanced to the maximum extent per the associated National Pollution Discharge Elimination System (NPDES) permit associated with the project site.

2. The NPDES Permit also requires that a project's stormwater runoff be retained on-site through filtration to the maximum extent permitted by State law. Runoff not retained on-site shall be conveyed off-site in accordance with City standards, codes, and policies.

16.24.080 Exceptions.

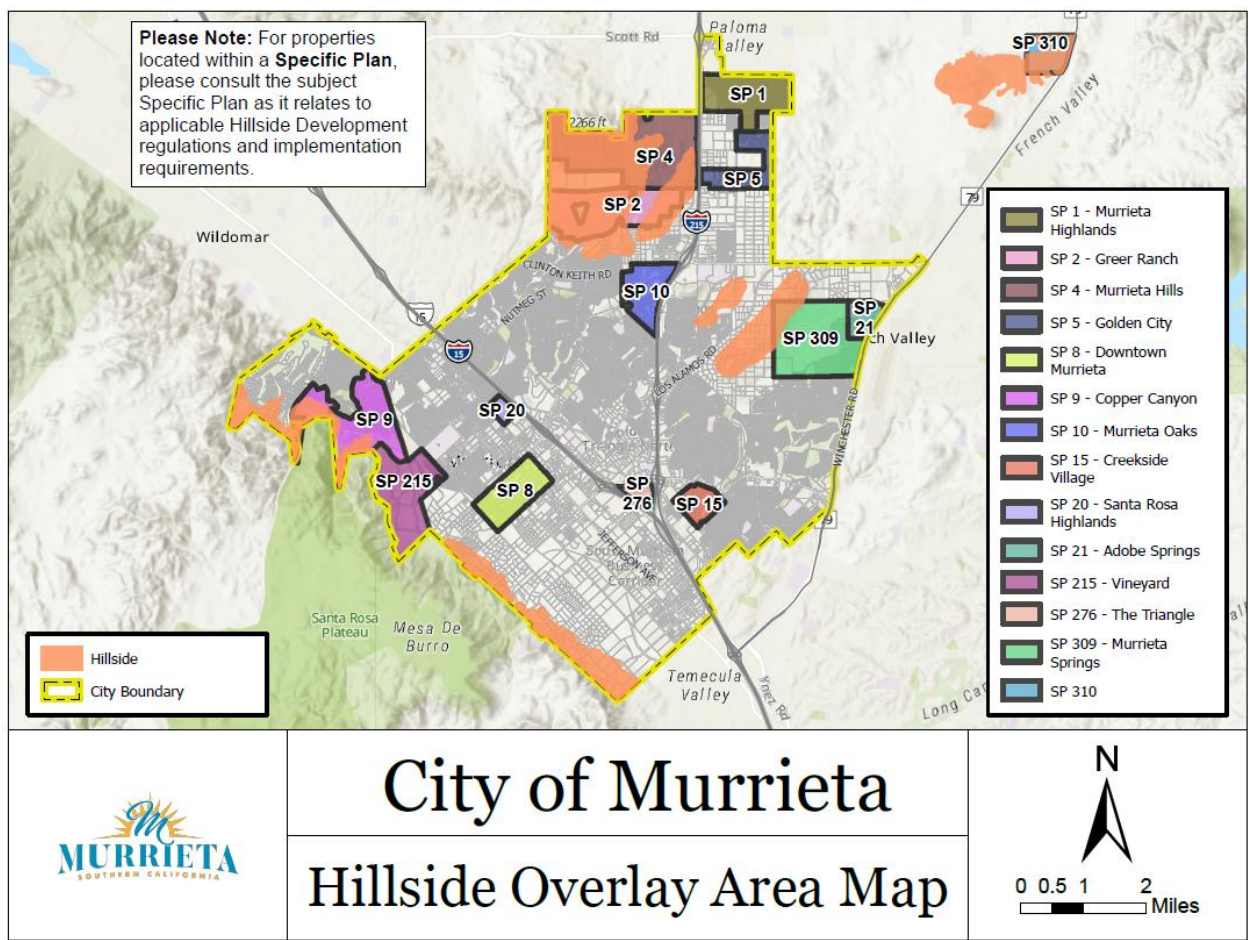
A. Residential Accessory Structures and Accessory Dwelling Units. This Chapter shall not apply to the development of residential accessory structures and accessory dwelling units on parcels with existing development approvals when the new construction:

1. Does not require the use of a retaining wall; and
2. Meets the criteria as described within Section 16.44.150 (Residential Accessory Uses and Structures) and Section 16.44.160 (Accessory Dwelling Units) and Section 16.02.020 (Exemptions from Land Use Permit Requirements).

16.24.090 (Reserved).

Reserved for future updates

16.24.100 Hillside Overlay Map.



A. Refer to the *City's* online Geographic Information System (GIS) as an additional mapping resource for project review.

SECTION 8. Section 16.28.080 (Landscaping Standards) is hereby amended in its entirety to read as follows:

“16.28.080 Landscape Standards.

Landscape areas and materials shall be designed, installed, and maintained in compliance with the following:

A. General Design Standards. The following features shall be incorporated into the design of the proposed landscape and shown on required landscape plans:

1. Landscaping shall be planned as an integral part of the overall project design and not simply located in excess space after parking areas and structures have been planned;
2. Pedestrian access to sidewalks and structures shall be considered in the design of all landscaped areas;
3. Landscape planting shall be provided for all adjacent public rights-of-way, in compliance with [Chapter 16.108](#) (Improvements);
4. With the exception of single-family residential units, landscape adjacent to driveways and parking areas shall be protected from vehicle damage through the provision of minimum six (6) inch high concrete curbs or other types of barriers as approved by the director;
5. Landscaped areas shall not be less than five (5) feet in width, except where determined by the director;
6. Concrete strips, a minimum of four (4) inches in width, shall be provided to separate all turf areas from other landscaped areas, except for single-family residential landscape projects;
7. Permeable surfaces shall be used wherever permissible in place of impervious paving, to encourage on-site water infiltration and support water conservation measures. Permeable surfaces shall be identified on plans; and
8. Protective tree grates shall be provided for trees planted in pedestrian areas, except for single-family residential landscape projects and as determined by the director.

B. Plant Materials. Plant materials shall be selected and installed to comply with the following requirements:

1. A mix of plant materials shall be provided in compliance with the following table (Table 16.28-2). Calculations documenting the required mix shall be shown on the landscape plan;

TABLE 16.28-2

MINIMUM REQUIRED MIX OF PLANT MATERIALS	
Plant Material	Minimum Required Percentage
Trees	
Twenty-four (24) inch box	35%*
Fifteen (15) gallon	65%
Shrubs	
Five (5) gallon	70%
One (1) gallon (herbaceous only) with city approval	30%
Groundcover	
Coverage within two (2) years	100%
A greater percentage of specimen trees may be utilized with a corresponding reduction in the number of fifteen- (15-) gallon trees subject to the review of the director.	

2. Trees for shade shall be provided for buildings/structures, as well as for parking lots and open space areas. These trees can be deciduous or evergreen and are to be incorporated to provide natural cooling opportunities for the purpose of energy and water conservation;

3. Trees shall be planted in areas of public view adjacent to and along structures, at an equivalent of at least one (1) tree per thirty (30) linear feet of structure. Other areas shall provide trees at a ratio of one (1) tree for each three hundred (300) square feet of landscaped area. The clustering of trees is encouraged;

4. Mature specimen trees in thirty-six (36) inch and forty-eight (48) inch boxes shall be provided for large projects in sufficient quantity subject to the approval of the Director, to provide variety and emphasis at main focal areas;

5. All trees shall be staked or guyed (on a case-by-case basis) subject to the review of the director and in compliance with city standards;

6. Trees and shrubs shall be planted so that at maturity they do not interfere with service lines and traffic safety sight areas;

7. Trees and shrubs shall be planted and maintained in a manner that protects the basic rights of adjacent property owners, particularly the right to solar access;

8. Trees planted near public sidewalks or curbs shall be of a species and installed in a manner that prevents physical damage to sidewalks, curbs, gutters and other public improvements; and

9. Groundcover shall be of live plant material. Limited quantities of gravel, colored rock, bark, and similar materials may be used in combination with a living groundcover.”



CITY OF MURRIETA

April 24, 2026

Environmental Review Update Checklist Form For Projects with Previously Approved Environmental Documents

FOR PURPOSES OF CONSIDERATION OF Development Code Amendment No. DCA-2021-2396

The California Environmental Quality Act (CEQA) Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted Negative Declaration (ND) or a previously certified environmental impact report (PEIR) covering the project for which a subsequent discretionary action is required. This Environmental Review Update Checklist Form has been prepared in accordance with CEQA Guidelines Section 15164(e) to explain the rationale for determining whether any additional environmental documentation is needed for the subject discretionary action.

1. Original project and background on the previously adopted ND and certified General Plan EIR:

The original "Project" was adoption of the citywide Comprehensive Development Code in 1998. These standards were originally evaluated and implemented under the adopted Negative Declaration for implementation of the Comprehensive Development Code on October 28, 1997. These updates have been evaluated for consistency for the current "Project" proposal utilizing this Negative Declaration and the Murrieta General Plan Final Environmental Impact Report (FEIR) and Subsequent SEIR in 2021 (SCH No. 2010111084), by the City of Murrieta.

The City Council adopted a General Plan in 1994 following incorporation in 1991. At that time, it was determined that all development decisions were to continue to utilize Riverside County's Ordinance No. 348 (Zoning) until such a time that the City adopted its own Development Code, provided that the County's Ordinance No. 348 was not in conflict with the General Plan.

In August 1996, the City Council approved a contract with a design consultant to assist with the development of the initial Murrieta Development Code (MDC). In September 1997, the City began the process for adoption after holding several joint Planning Commission and City Council public workshops to receive public input and to develop standards. In early 1998, the City implemented these new standards replacing County Ordinance No. 348. Inclusive of these new standards were parameters covering Hillside Development.

Following this period, in August 1996, the City Council approved a contract with a design consultant to assist with the development of the MDC. In September 1997, the City began the process for adoption. This was inclusive of holding several joint Planning Commission and City Council public workshops to receive public input and to develop standards. In early 1998, the City implemented these new standards. Inclusive of these standards were parameters covering Hillside Development as described under MDC Chapter 16.24 (Hillside Development).

NEGATIVE DECLARATION

As described under the project description within the ND, the objective of the updates was: *..To establish comprehensive standards and straightforward processes for development within the City of Murrieta. The Development Code is an implementing document of the General Plan which will govern zoning and subdivision regulations citywide. It will expand the zoning districts established in the General Plan and propose allowable uses within each zoning district. The document includes, but is not limited to site planning and general development standards for landscaping, noise, parking, signs, and tree preservation. The new Comprehensive Development Code will replace Ordinance 348 (Zoning) and Ordinance No. 460 (Subdivisions) in addition to other land use-related ordinances. The implementing document will not cause the physical construction of any new structures or the subdivision of land rather it establishes standards and requirements for the processing of applications consistent with the goals, objectives and policies of the City's General Plan.*¹

GENERAL PLAN 2035 FEIR (2011)

In 2011, the City processed a needed General Plan Update to address a wide variety of Planning issues including development in hillside areas. The General Plan 2035 FEIR identified significant impacts on the environment that could not be avoided or mitigated to a level of insignificance. Due to this, in 2011, the City Council adopted a statement of overriding considerations when the General Plan EIR was certified that justified why the merits of the General Plan update outweighed the unavoidable significant impacts. These four areas included:

Land Use

- Consistency with the Riverside County Airport Land Use Compatibility Plan

Traffic and Circulation

- Roadway Segments (Project and Cumulative Impacts). Even with the installation of the recommended improvements, implementation of the proposed General Plan 2035 would result in unacceptable levels of service on the roadway segments shown as LOS D in green, LOS E in yellow, and LOS F in red on Exhibit 5.4-14. The results of these impacts were determined to be significant unavoidable impacts for the roadway segments shown as LOS D, LOS E, and LOS F on Exhibit 5.4-14 of that document.
- Intersections (Project and Cumulative Impacts). The following 16 intersections were projected to operate at levels of service that did not meet the City's standards, thus resulting in a significant unavoidable significant impact.

Intersection 1: Menifee Road / Scott Road Intersection 3: Winchester Road – SR-79 / Scott Road
Intersection 4: Antelope Road / Keller Road
Intersection 9: Antelope Road / Golden City Drive – Baxter Road
Intersection 10: Whitewood – Meadowlark / Golden City Drive – Baxter Road Intersection 18:
California Oaks Road / Clinton Keith Road

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Intersection 20: I-215 NB Off-Ramp / Clinton Keith Road Intersection 22: Meadowlark – Whitewood Road / Clinton Keith Road
Intersection 25: Winchester Road – SR-79 / Clinton Keith Road – Benton Road Intersection 28: Jefferson Avenue / Murrieta Hot Springs Road
Intersection 44: Jefferson Avenue / Kalmia Street
Intersection 52: Winchester Road (SR-79) / Murrieta Hot Springs Road Intersection 53: Hancock Avenue / Los Alamos Road
Intersection 54: I-215 SB Ramps / Los Alamos Road Intersection 57: Whitewood Road / Murrieta Hot Springs Road Intersection 59: Nutmeg Street / Clinton Keith Road

Air Quality

- Short-Term Construction Emissions
- Long-Term Mobile and Stationary Source Emissions
- Cumulative Short-Term Construction Emissions Impacts
- Cumulative Long-Term Mobile and Stationary Source Emissions

Noise

- Cumulative Long-Term Operational Noise Impacts

Parks and Recreational Facilities

- Parks and Recreational Facilities – Project and Cumulative Impacts²

GENERAL PLAN 2035 SEIR (2020)

In 2020, the City prepared a Supplemental Environmental Impact Report (SEIR) to the General Plan 2035. It was needed at that time to analyze planning-related issues and to comply with updated Elements and related Policies/Goals. The SEIR analyzed only those subject areas for which there were changes in circumstances, or new information resulting in potentially greater impacts than those identified in the 2011 General Plan 2035 FEIR.

Section 4.0, Environmental Analysis, of that document, provides a description of these potential environmental impacts and recommended General Plan policies, implementation measures, and mitigation measures to reduce impacts to a less than significant level. After implementation of the recommended policies, implementation measures, and mitigation measures, it was determined that most of the potentially significant impacts would be reduced to less than significant levels. However, it was determined that the following new impacts could not be feasibly mitigated:

Traffic and Circulation

Roadway Segments (Project and Cumulative Impacts). Even with the installation of the recommended improvements, implementation of the proposed Project would result in an unacceptable level of service on the following roadway segments:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

- Clinton Keith Road east of California Oaks Road (new deficiency)
- California Oaks Road south of Clinton Keith Road (new deficiency)
- Jefferson Avenue south of California Oaks Road (new deficiency)
- Los Alamos Road between Monroe Avenue and Hancock Avenue (deficient in “without project”)
- Murrieta Hot Springs Road between I-15 and I-215 (deficient in “without project”)
- Murrieta Hot Springs Road between Alta Murrieta Drive and Whitewood Road (deficient in “without project”)
- Murrieta Hot Springs Road between Whitewood Road and Margarita Road (deficient in “without project”).

Intersections (Project and Cumulative Impacts). The following 5 intersections would result in unavoidable traffic impacts, and thus result in an unavoidable significant impact.

- Jefferson Avenue/Kalmia Street
- Winchester Road (SR-79)/Murrieta Hot Springs Road
- Hancock Avenue/Los Alamos Road
- Whitewood Road/Murrieta Hot Springs Road
- Whitewood Road/Clinton Keith Road

Air Quality

- Short-Term Construction Emissions
- Long-Term Mobile and Stationary Source Emissions
- Cumulative Short-Term Construction Emissions Impacts
- Cumulative Long-Term Mobile and Stationary Source Emissions

The SEIR (SCH No. 2010111084), including the 2011 General Plan EIR (the “General Plan EIR”), identified potentially significant environmental effects, some of which could feasibly be mitigated or avoided. Such effects and corresponding mitigation measures, goals, and policies, are identified in the General Plan 2035 EIR (2011), and are incorporated by reference within that document. The General Plan EIR determined that all significant environmental effects, with the exception of four discussed above, can feasibly be avoided, have been avoided, or reduced to a level of insignificance.³ The mitigation measures and monitoring program (MMRP) are listed collectively known as the General Plan EIR for the purposes of this review.

CONCLUSION

The scope of the Project (2026) is to clarify and correct existing hillside review protocols and minor modifications consistent with existing baseline standards. Furthermore, implementing these standards in an objective manner consistent with recent State housing legislation requirements. It should be noted that individual projects are still subject to subsequent environmental review and site-specific analysis for consistency with CEQA. Lastly, the City General Plan MMRP’s are reviewed for applicability and are carried forward on an individual project-level basis.

Pursuant CEQA Guidelines section 15164(b), the City of Murrieta, as the lead agency for this project, the proposed text amendment for hillside development, has determined that a 15162 Consistency

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Analysis to the approved Negative Declaration and adopted General Plan EIR are appropriate, as only minor technical changes or additions are necessary and none of the conditions described in CEQA Guidelines section 15162 requiring the preparation of a subsequent EIR have occurred.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the Project.

2. Lead agency name and address:

City of Murrieta
Development Services Department, Planning Division
1 Town Square
Murrieta, CA 92562
(951) 461-6061

- a. Contact: Chris Tracy, AICP Senior Planner
- b. Phone number: (951) 461-6046
- c. E-mail: Ctracy@murrietaca.gov

3. Project applicant's name and address:

City of Murrieta
Development Services Department, Planning Division
1 Town Square
Murrieta, CA 92562

- a. Contact: Chris Tracy, AICP Senior Planner
- b. Phone number: (951) 461-6046
- c. E-mail: Ctracy@murrietaca.gov

4. Summary of the activities authorized by present permit/entitlement application(s):

The MDC is the primary instrument for implementing the City's General Plan. It provides the City's regulations for the development and use of property within the City limits, and provides information on zoning, subdivisions, and other related land use activities. Inclusive of these standards are parameters covering Hillside Development, specifically under MDC Chapter 16.24 (Hillside Development).

5. Does the project for which a subsequent discretionary action is now proposed differ in any way from the previously approved project?

YES
☐

NO
☒

If yes, describe **ALL** differences.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

6. **SUBJECT AREAS DETERMINED TO HAVE NEW OR SUBSTANTIALLY MORE SEVERE SIGNIFICANT ENVIRONMENTAL EFFECTS COMPARED TO THOSE IDENTIFIED IN THE PREVIOUS ND OR PEIR.** The subject areas checked below were determined to be new significant environmental effects or to be previously identified effects that have a substantial increase in severity either due to a change in project, change in circumstances or new information of substantial importance, as indicated by the checklist and discussion on the following pages.

☒ NONE

- | | | |
|---|--|--|
| ☐ Aesthetics | ☐ Agr. & Forestry Resources | ☐ Air Quality |
| ☐ Biological Resources | ☐ Cultural Resources | ☐ Energy |
| ☐ Geology & Soils | ☐ Hazards & Hazardous Materials | ☐ Hydrology & Water Quality |
| ☐ Greenhouse Gas Emissions | ☐ Mineral Resources | ☐ Noise |
| ☐ Land Use & Planning | ☐ Public Services | ☐ Recreation |
| ☐ Population & Housing | ☐ Tribal Cultural Resources | ☐ Utilities & Service Systems |
| ☐ Transportation/Traffic | | |

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

DETERMINATION:

On the basis of this analysis, the Department of Development Services has determined that:

- ☒ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, the previously adopted ND and previously certified EIR (FEIR & SEIR) are adequate.
- ☐ No substantial changes are proposed in the project and there are no substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous EIR or ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Also, there is no "new information of substantial importance" as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, because the project is a residential project in conformance with, and pursuant to, a Specific Plan with a EIR completed after January 1, 1980, the project is exempt pursuant to CEQA Guidelines Section 15182.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). However, all new significant environmental effects or a substantial increase in severity of previously identified significant effects are clearly avoidable through the incorporation of mitigation measures agreed to by the project applicant. Therefore, a SUBSEQUENT ND is required.
- ☐ Substantial changes are proposed in the project or there are substantial changes in the circumstances under which the project will be undertaken that will require major revisions to the previous ND or PEIR due to the involvement of significant new environmental effects or a substantial increase in the severity of previously identified significant effects. Or, there is "new information of substantial importance," as that term is used in CEQA Guidelines Section 15162(a)(3). Therefore, a SUBSEQUENT or SUPPLEMENTAL PEIR is required.

Chris Tracy

Signature

4/24/2026

Date

Chris Tracy, AICP

Printed Name

Senior Planner

Title

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

INTRODUCTION

CEQA Guidelines Sections 15162 through 15164 set forth the criteria for determining the appropriate additional environmental documentation, if any, to be completed when there is a previously adopted ND or a previously certified EIR for the project.

CEQA Guidelines, Section 15162(a) and 15163 state that when an ND has been adopted or an EIR certified for a project, no Subsequent or Supplemental EIR or Subsequent Negative Declaration shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole public record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:
 - a. The project will have one or more significant effects not discussed in the previous EIR or Negative Declaration; or
 - b. Significant effects previously examined will be substantially more severe than shown in the previously adopted Negative Declaration or previously certified EIR; or
 - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous Negative Declaration or EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

CEQA Guidelines, Section 15164(a) states that an Addendum to a previously certified EIR may be prepared if some changes or additions are necessary but none of the conditions described in Section 15162 calling for preparation of a Subsequent or Supplemental PEIR have occurred.

CEQA Guidelines, Section 15164(b) states that an Addendum to a previously adopted Negative Declaration may be prepared if only minor technical changes or additions are necessary.

If the factors listed in CEQA Guidelines Sections 15162, 15163, or 15164 have not occurred or are not met, no changes to the previously certified EIR or previously adopted ND are necessary.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

The following responses detail any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that may cause one or more effects to environmental resources. The responses support the "Determination," above, as to the type of environmental documentation required, if any.

ENVIRONMENTAL REVIEW UPDATE CHECKLIST

I. AESTHETICS – Since the previous ND was adopted and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: (a) the obstruction of views from a scenic vista; (b) damage scenic resources within a state scenic highway, (c) degrade the existing visual character of the site and surroundings, or (d) generation of light or glare?

YES
☐

NO
☒

Comprehensive Development Code Negative Declaration, General Plan EIR, and Proposed Project

Negative Declaration

Impacts on Aesthetics as provided within Comprehensive Development Code Negative Declaration for this issue area were determined to have "Less than Significant Impact" with respect to affecting a scenic vista or scenic highway, having a demonstrable negative aesthetic effect, or creating a source for light or glare.

As noted within the ND with respect to Aesthetic Resources: *..The document establishes standards for development of residential, commercial, industrial, and special purpose zones in addition to providing buffers between potentially conflicting uses such as between equestrian/agricultural and industrial uses. The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations. The Development Code defines the administrative processes necessary for development within the City. (Comprehensive Dev. Code, IS-11)¹*

Since the adoption of the ND in 1997; there have not been any significant modifications to the City's Hillside standards and more specifically aesthetic resources. These resources can be valued based on their uniqueness, prominence, quality, and relationship to community identity. Visual resources are important from an aesthetic perspective when they are identified as containing a significant scenic value. Within this understanding, a scenic vista can be defined as the public view of an area that is visually or aesthetically unique, such as a valley or a mountain range. A substantial adverse effect on visual resources could result in situations in which a development project introduces physical features that are not characteristic of current development, obstructs an identified public scenic vista, impairs views from other public areas, or has a substantial change to the natural landscape. The proposed code amendment simply modifies and clarifies existing planning and engineering standards to support future development within designated Hillside areas and throughout the City. Individual development projects would still be subject to

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

environmental review under CEQA with site-specific analysis with visual analysis, comply with maximum building heights, the City's development review process, and would be required to demonstrate consistency with General Plan policies and compliance with City's Municipal Code development standards. Provided this background, the proposed code amendment would not result in a significant adverse effect on a scenic vista.

There are no roadways within the City that are considered eligible for official designation as a County or State Scenic Highway. The California Department of Transportation (Caltrans) designates official and eligible scenic highways. There are no designated or proposed state scenic highways within the vicinity of the project site that would be impacted by the proposed code amendments. The nearest highway to the City limits with a designation is Interstate (I) 215, which has an eligible state scenic highway for a three-mile portion north of the City limits but is not listed as a designated scenic highway. Therefore, implementation of the proposed Project would not result in an impact related to scenic resources within a state scenic highway.

General Plan 2035 FEIR (2011)

The General Plan 2035 FEIR analyzed this issue area under Aesthetics:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD HAVE AN ADVERSE EFFECT ON A SCENIC VISTA.

Level of Significance Before Mitigation: Less Than Significant Impact.

..In general, future development under the proposed General Plan 2035 would be subject to compliance with the regulations, guidelines, and development review process set forth in the MDC, as well as the proposed General Plan 2035 goals and policies. These regulations and guidelines are intended to diminish conflicts between urban development and visual resources, and preserve hills and ridges. Where permitted, development on hillsides within the City would involve careful siting, grading, and design in order to minimize exposure and preserve the City's vistas. Additionally, due to the conceptual nature of the future development, proposals would require individual assessments of potential project-specific impacts to scenic vistas. If necessary, mitigation would be recommended to reduce potential impacts to a less than significant level. Therefore, future development according to the proposed General Plan 2035 is not anticipated to significantly impact the City's scenic vistas; thus impacts are considered less than significant in this regard.

LAND USE ELEMENT

Goal LU-1 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.

Policies

LU-1.4 Provide for the development of complementary land uses, such as open space, recreation, civic, and service uses for all future residential and non-residential development.

CONSERVATION ELEMENT

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Goal CSV-5 Hills and ridges are protected for their environmental and aesthetic values.

Policies

CSV-5.1 Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas.

CSV-5.2 Incorporate significant landform features into City parks and open space, where appropriate.

RECREATION AND OPEN SPACE ELEMENT

Goal ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

Policies

ROS-7.1 Preserve and enhance open space resources in Murrieta.

ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

ROS-7.3 Seek opportunities to designate open space along waterways, while also providing for the development of trails.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Goals and Policies in the Proposed General Plan 2035:

..LAND USE ELEMENT

Goal LU-1 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.

Policies

LU-1.4 Provide for the development of complementary land uses, such as open space, recreation, civic, and service uses for all future residential and non-residential development.

CONSERVATION ELEMENT

Goal CSV-5 Hills and ridges are protected for their environmental and aesthetic values.

Policies

CSV-5.1 Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CSV-5.2 Incorporate significant landform features into City parks and open space, where appropriate.

RECREATION AND OPEN SPACE ELEMENT

Goal ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

Policies

ROS-7.1 Preserve and enhance open space resources in Murrieta.

ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

ROS-7.3 Seek opportunities to designate open space along waterways, while also providing for the development of trails.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.3-15 through Page 5.3-18)²

Impacts to Scenic Vistas would be reduced to below a level of significance with the implementation of the above General Plan Goals and Policies as reviewed on a project-level basis. To achieve this it would involve careful siting and hillside grading techniques to minimize exposure and preserve vistas. Also, due to the unknown nature of the future development in hillside areas, future projects would require individual assessments of potential impacts to scenic vistas and assess opportunities for preservation of open spaces in hillside areas. If necessary, mitigation would be recommended to reduce the potential effects to a less than significant level.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD SUBSTANTIALLY DAMAGE SCENIC RESOURCES WITHIN A STATE SCENIC HIGHWAY.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures are required.

Level of Significance After Mitigation: Not Applicable.

..CONSTRUCTION ACTIVITIES FOR FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD TEMPORARILY DEGRADE THE VISUAL CHARACTER OF THE RESPECTIVE DEVELOPMENT SITE AND/OR ITS IMMEDIATE SURROUNDINGS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

- AES-1 *For future development located in or immediately adjacent to residentially zoned properties, construction documents shall include language that requires all construction contractors to strictly control the staging of construction equipment and the cleanliness of construction equipment stored or driven beyond the limits of the construction work area. Construction equipment shall be parked and staged within the project site, as distant from the residential use, as reasonably possible. Staging areas shall be screened from view from residential properties.*
- AES-2 *Construction documents shall include language requiring that construction vehicles be kept clean and free of mud and dust prior to leaving the development site. Streets surrounding the development site shall be swept daily and maintained free of dirt and debris.*
- AES-3 *Construction worker parking may be located off-site with prior approval by the City. On-street parking of construction worker vehicles on residential streets shall be prohibited.*

Level of Significance After Mitigation: Less Than Significant Impact. (Murrieta General Plan 2035 FEIR, Page 5.3-18 through Page 5.3-19)²

Impacts from Construction-related visual impacts would be short-term and temporary. With implementation of project-screening techniques, a site would partially relieve the visual distractions encountered. To reduce this issue area to below of level of significance for development in hillside areas, Mitigation Measures AES-1, AES-2, and AES-3 would be evaluated for applicability and carried forward on a project-level basis.

..FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD PERMANENTLY DEGRADE THE VISUAL CHARACTER OF THE RESPECTIVE DEVELOPMENT SITE AND ITS IMMEDIATE SURROUNDINGS.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

LAND USE ELEMENT

Goal LU-2 A community that preserves its rural characteristics in appropriate locations.

Policies LU-2.1 Provide for the keeping of horses and other livestock, as well as farming or agricultural operations, on appropriate larger lot residential property to preserve the community's heritage.

Goal LU-3 Stable, well-maintained residential neighborhoods in Murrieta.

Policies

LU-3.1 Maintain and enhance the character of single-family residential neighborhoods.

LU-3.2 Protect residential areas from the effects of potentially incompatible uses. Where new commercial or industrial development is allowed adjacent to residentially zoned districts, establish and/or maintain

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

standards for circulation, noise, setbacks, buffer areas, landscaping and architecture, which ensure compatibility between the uses.

LU-3.3 Assure that the type and intensity of land use shall be consistent with that of the immediate neighborhood.

LU-3.4 Strive to provide a diverse mix of housing types, along with uniformly high standards of residential property maintenance to preserve residents' real estate values and their high quality of life.

LU-3.5 Prohibit uses that lead to deterioration of residential neighborhoods, or adversely impact the safety or the residential character of a residential neighborhood.

Goal LU-9 Land use patterns and urban design that support healthy and sustainable lifestyles and businesses.

Policies

LU-9.1 Encourage human-scale urban design on the neighborhood, block, and building scale.

Goal LU-10 A community that provides pedestrian-friendly environments for residential, commercial, business, and recreation uses.

Policies

LU-10.1 Prepare and use design guidelines to encourage high-quality, pedestrian-oriented design that enhances the public realm.

LU-10.2 Consider preparation and adoption of a Street Master Plan that addresses walkability and streetscape.

LU-10.5 Update the Development Code to create walkability, and interesting and varied pedestrian environments.

LU-10.7 Encourage well-designed covered or structured parking instead of surface parking lots

LU-10.8 Encourage new surface off-street parking to be located behind or to the side of buildings, as appropriate.

LU-10.9 Encourage ground-floor structured parking to be buffered from the pedestrian environment through strategies such as wrapping the structure with active retail uses, placing entrances off the street, and screening with landscaping or art.

Goal LU-11 A community that is comprehensively designed to create a positive and distinctive City image by protecting historic resources, and by strengthening the positive qualities of the City's overall image and neighborhood identity.

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-11.1 Study and determine areas in the City where rural character can be created, enhanced, or preserved.

LU-11.2 Endeavor to establish distinctive themes and character for individual focus areas or other areas, as appropriate, within the community.

LU-11.3 Enhance the positive qualities that give residential, commercial, and industrial areas their unique identities, while also allowing flexibility for innovative design.

LU-11.4 Preserve the unique character and integrity of the City's traditional residential neighborhoods.

LU-11.5 Improve the appearance and function of regional commercial centers through improved site design, landscaping, and architectural integrity.

LU-11.6 Seek to create unique retail spaces that are architecturally rich, pedestrian friendly, culturally sensitive, and economically viable.

LU-11.7 Prepare and implement design guidelines for special districts or areas with unique character in the City of Murrieta, as appropriate.

LU-11.8 Develop a design palette for multiple-family and mixed use buildings.

Goal LU-12 Effective use of redevelopment as a tool for economic development and community improvement.

Policies

LU-12.1 Continue to prioritize commercial, industrial, and residential revitalization within the redevelopment project area.

LU-12.2 Revitalize private and public lands in need of redevelopment or those that are underdeveloped due to lack of public facilities and revitalization.

LU-12.3 Provide yearly review of the City's redevelopment program under the California Community Redevelopment Law to coordinate and pursue community improvement and revitalization activities.

LU-12.4 Ensure conditions of blight are evaluated, as needed, to ensure the Redevelopment Plan is reflective of community needs.

Goal LU-20 West of Warm Springs Creek, preserve the historic rural character of the Los Alamos Hills area by maintaining its unique environment rural style with low density development and small rural roads while preserving natural features.

Policies

LU-20.1 Maintain the existing 2.5-acre minimum residential parcel size west of Warm Springs Creek.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-20.2 Establish development standards for all new construction to ensure high quality rural development in the area west of Warm Springs Creek.

LU-20.3 Establish unifying visual elements, such as split rail fencing, mature native trees, and well-spaced homes, as a means of distinguishing the Los Alamos Hills area as a rural historic enclave within Murrieta for the area west of Warm Springs Road.

LU-20.4 Encourage the construction of homes and accessory structures, west of Warm Springs Creek that are compatible with surrounding residential uses and the rural character of the Los Alamos Hills area.

LU-20.7 Allow commercial farms, tree crops and other agricultural uses on lots of at least 2.5 acres in size consistent with Los Alamos' long history as an agricultural community.

LU-20.8 Allow for the creation of entry monuments that are rural in character to announce the arrival into the Los Alamos Hills area.

LU-20.9 Discourage features such as small lots, conventional sidewalks, or conventional street lights, west of Warm Springs Creek.

Goal LU-21 Appropriate land use transitions between rural land uses west of Warm Springs Creek and more intense land uses east of Warm Springs Creek.

Policies

LU-21.1 Consider the creation of a transitional density/intensity non-rural area to serve as a buffer area between the developments along Winchester Road and the rural residential land uses to the west of Warm Springs Creek.

Goal LU-22 Natural and visual resources are valued resources to maintain the rural character of the Los Alamos Hills.

Policies

LU-22.1 Encourage the preservation of natural and visual resources within Los Alamos Hills, such as rock outcroppings and scenic views of the local hills and valleys, to the greatest degree practicable.

LU-22.2 Encourage new construction and landscape design that utilizes grading techniques to mimic the natural terrain.

LU-22.3 Encourage development that minimizes impacts to existing water courses, mature trees, and natural features as much as possible. In those cases that these areas/features are impacted, the final design should provide adequate mitigation on-site and/or in nearby areas.

LU-22.4 Encourage healthy and structurally sound, existing groves of eucalyptus and other mature non-native trees located west of Warm Springs Creek to be considered a visual asset to the area, and should be conserved and maintained to the maximum degree practicable.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-22.5 Encourage new development to replace or supplement with native tree species as opportunities arise.

Goal LU-24 Historic Murrieta as the City's cultural, civic and community center.

Policies

LU-24.1 Preserve and enhance the historic Murrieta area as the governmental and cultural focal point of the City.

Goal LU-27 The quality and character of the City is preserved and enhanced by compliance with relevant codes and regulations.

Policies

LU-27.1 Review the Development Code and determine which sections are outdated to meet current trends, regulations, adopted community visions, and the General Plan 2035 land use designations, and revise as necessary.

CONSERVATION ELEMENT

Goal CSV-4 Restoration of the natural function and aesthetic value of creeks, while providing flood control measures and opportunities for recreation.

Policies

CSV-4.1 Prioritize creek preservation, restoration and/or mitigation banking along creeks as mitigation for environmental impacts.

CSV-4.2 Consider alternatives to hardlined bottoms and side slopes within flood control facilities, where technically feasible.

CSV-4.3 Preserve Warm Springs Creek and Cole Creek as a wildlife corridor, while accommodating flood control measures and passive recreation.

CSV-4.4 Retain and restore natural drainage courses and their function where health and safety are not jeopardized.

CSV-4.5 Support efforts for restoration, flood control, and recreation along Murrieta Creek, in coordination with regional and federal plans.

CSV-4.6 Seek funds and provide support for creek restoration, maintenance and protection through grant and mitigation programs, development entitlements, and non-profit organizations.

CSV-4.7 Continue to support the architectural enhancement of bridges over creeks as a scenic resource.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Goal CSV-5 Hills and ridges are protected for their environmental and aesthetic values.

Policies

CSV-5.1 Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas.

CSV-5.2 Incorporate significant landform features into City parks and open space, where appropriate.

CSV-5.3 Maintain a register of cultural resources that includes landforms with cultural significance.

Goal CSV-9 A community that promotes the growth of an urban forest and water-efficient landscaping, recognizing that plants provide natural services such as habitat, storm water management, soil retention, air filtration, and cooling, and also have aesthetic and economic value.

Policies

CSV-9.1 Identify and protect native trees, trees of historic or cultural significance, and mature trees, consistent with the Tree Preservation Ordinance.

CSV-9.2 Consider the establishment of street tree standards and a program for street tree planting, maintenance, and replacement.

CSV-9.3 Promote the use of street trees as a buffer between pedestrians and motorized traffic.

CSV-9.4 Encourage the planting of street trees in linear planting beds rather than tree wells in order to support long-living healthy trees. (formerly hc 9.3)

CSV-9.5 Encourage the planting of trees in private yards and properties.

CSV-9.6 Maintain a guide to preferred trees, shrubs, and ground cover plants of noninvasive species, or refer private parties to an existing guide that meets City needs to assist private landscaping efforts.

CSV-9.8 Encourage any new landscaped areas requiring permits to respect and incorporate the distinctive elements of the existing community landscape, including the retention of existing trees, to the maximum extent feasible.

CSV-9.9 Promote the use of native plant species in public landscaping of parks, schools, medians and planter strips, as well as in private development throughout the City.

RECREATION AND OPEN SPACE ELEMENT

Goal ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

ROS-7.1 Preserve and enhance open space resources in Murrieta.

ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

ROS-7.3 Seek opportunities to designate open space along waterways, while also providing for the development of trails.

ROS-7.4 When possible, link open space and parks for the movement of wildlife and people.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.3-20 through Page 5.3-31)²

Projects in hillside areas would be evaluated to verify compliance with the above General Plan 2035 goals and policies, as well as the provisions of the MDC, which address the visual character/quality of a development site and its surroundings. Furthermore, projects in hillside areas would also undergo environmental review on a project-by-project basis, in order to evaluate the relationship between the existing visual characteristics of the site and its surroundings and a given project. Provided this background, impacts would be less than significant.

FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CREATE NEW SOURCES OF LIGHT/GLARE THAT COULD ADVERSELY AFFECT VIEWS IN THE AREA.

Level of Before Mitigation: Less Than Significant Impact.

Goals and Policies in the Proposed General Plan 2035:

..LAND USE ELEMENT

Goal LU-20 West of Warm Springs Creek, preserve the historic rural character of the Los Alamos Hills area by maintaining its unique environment rural style with low density development and small rural roads while preserving natural features.

Policies

LU-20.10 Encourage the minimal use of outdoor lighting to maintain the nighttime dark sky in the rural Los Alamos Hills area.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.3-31 through 5.3-32)²

Proposed Project - No Substantial Change From Previous Analysis

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Impacts from light and glare would remain less than significant with the review for consistency with the Murrieta Development Code. This would be confirmed with the design, installation, and operation of all exterior lighting would reduce in a manner to address glare, light spillover onto adjacent properties, or other conflicts. Lastly, compliance with General Plan 2035 Policy LU-20.10, which addresses lighting in the Los Alamos Hills area, would further minimize potential impacts within that hillside area. Lastly, projects in hillside areas would be reviewed for compliance Section 16.18.110 "Mount Palomar Lighting Standards" to ensure dark skies are maintained throughout the City.

..FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CREATE SHADE AND SHADOWS THAT COULD ADVERSELY AFFECT ADJACENT LAND USES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.3-33)²

Projects in hillside areas are reviewed for consistency with Murrieta Development Code Chapters 16.08, 16.10, 16.12, 16.14, and 16.18. This includes provisions to address potential shade and shadow affects on adjacent properties, including parcel coverage, density and intensity, setbacks, and building height and placement. Also, projects would be subject to environmental review on a project-level basis. With this review, it requires an analysis of shade and shadow impacts. Incorporation of mitigation measures would be brought forward on a project-level basis to reduce potential impacts to a less than significant level.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE AESTHETICS, LIGHT, AND GLARE IMPACTS.

Level of Significance Before Mitigation: Potentially Significant Impact.

Mitigation Measures: Refer to Mitigation Measures AES-1 to AES-3. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..Aesthetics impacts associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with goals and policies in the proposed General Plan 2035, compliance with the Murrieta Development Code, and recommended mitigation measures. No significant unavoidable aesthetics impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.3-33 through Page 5.3-34)²

Proposed Project - No Substantial Change From Previous Analysis

It was determined that at a cumulative level, the General Plan 2035 goals and policies would reduce the incremental aesthetic impacts on the region to less than a significant level with implementation of Mitigation

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Measures AES-1 to AES-3 as described above. Additionally, it was determined that it would not result in any regional aesthetic impacts that extend beyond the City's borders. As the code amendment modifies and clarifies existing planning and engineering standards for hillside areas, it is not anticipated that it will increase impacts at a cumulative level as every project would be reviewed for compliance with the Murrieta Development Code. Furthermore, architectural plans for any future buildings would be reviewed by the City prior to the issuance of building permits, including whether the exterior building materials or exterior lights would produce substantial glare. Conformance with the Murrieta Municipal Code, permit plan checks, and reviews by City staff would ensure that substantial lighting and glare impacts from future building and development would not be created.

All in all, provided the preceding discussion for the issue areas covered under Aesthetics, there would not be a substantial change relative to aesthetic resource impacts as identified from those which were disclosed and analyzed by the Negative Declaration and General Plan 2035 Final Environmental Impact Report for this issue area (Aesthetics), and no new or increased impacts are forecasted to result from this Project. Given the preceding discussion, the Code updates would not create a new scenario where there would be obstruction of views from a scenic vista; damage to scenic resources within a state scenic highway, degrade the existing visual character of the site and surroundings; or create a significant impact from the generation of light or glare. To address all four of these issue areas, individual projects are still subject to subsequent environmental review and site-specific analysis for consistency with CEQA, the City General Plan Goals and Policies, and Aesthetic Mitigation Measures would be carried forward on an individual project-level basis.

I. AGRICULTURE AND FORESTRY RESOURCES – Since the previous ND was adopted and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to aesthetic resources including: a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use? b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

YES
☐

NO
☒

Comprehensive Development Code Negative Declaration, General Plan FEIR, and Proposed Project Negative Declaration

The Comprehensive Development Code Negative Declaration analyzed "Agriculture Resources" under the "Land Use & Planning" section. A less-than-significant impact was rendered in terms of the Project negatively affecting agricultural resources or operations. The proposed code amendment simply modifies and clarifies existing planning and engineering standards to support future development throughout the City which would not conflict with lands designated for planned Agriculture with respect to identified Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and there are no Williamson Act contract lands within the City.

Additionally, the ND analyzed impacts to "Forestry Resources" under the "Biology" section of the Initial Study. Specifically, it was determined that there would render a less-than-significant impact to locally

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

designated species and/or natural communities (e.g. heritage trees, oak forests, etc.). There is no property zoned or used for forest land, timberland, or timberland zoned for timberland production within the city, or would cause rezoning of, forest land, timberland, or timberland production zones. (Comprehensive Dev. Code)¹

General Plan 2035 FEIR (2011)

The General Plan 2035 FEIR analyzed this issue area under Agricultural Resources:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN CONVERSION OF FARMLAND TO NON-AGRICULTURAL USE, INCLUDING LAND SHOWN ON THE 2008 FARMLAND MAPPING AND MONITORING PROGRAM, AS UNIQUE FARMLAND.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

CONSERVATION ELEMENT

Goal CSV-10 Fresh food is grown locally and made available through multiple venues that maintain a link to the City's agricultural heritage and promote healthy eating.

Policies

CSV-10.1 Allow agricultural uses to continue in rural residential areas.

CSV-10.2 Consider ways to allow small-scale urban agriculture in parks, schools, and neighborhoods.

CSV-10.3 Ensure that residents are permitted to grow fruits and vegetables in their yards, so long as there are not significant negative impacts to adjacent property owners.

CSV-10.4 Encourage and support the use of public lands for community gardens and other food production facilities, when feasible.

CSV-10.5 Support opportunities for local food production and access, such as farmers' markets, community gardens, harvest sharing programs, and community supported agriculture programs.

CSV-10.6 Encourage local farmers to sell fresh food locally.

CSV-10.7 Allow public facilities such as schools, libraries, and community centers to be used as Community Supported Agriculture pick-up sites, where feasible.

LAND USE ELEMENT

Goal LU-2 A community that preserves its rural characteristics in appropriate locations.

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-2.1 Provide for the keeping of horses and other livestock, as well as farming or agricultural operations, on appropriate larger lot residential property to preserve the community's heritage.

Goal LU-20 West of Warm Springs Creek, preserve the historic rural character of the Los Alamos Hills area by maintaining its unique environment rural style with low density development and small rural roads while preserving natural features.

Policies

LU-20.6 Allow the keeping of personal livestock for both commercial and non-commercial purposes pursuant to the standards in the City's Development Code, and as may be modified through a Specific Plan.

LU-20.7 Allow commercial farms, tree crops and other agricultural uses on lots of at least 2.5 acres in size consistent with Los Alamos' long history as an agricultural community.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.9-9 through Page 5.9-11)²

Impacts to Agricultural Resources would remain below a level of significance with the implementation of the above General Plan Goals and Policies. These impacts would be reviewed on a project-level basis. With potential development in hillside areas, large rural residential areas would remain in place, where agricultural uses would largely remain due to topographic conflicts. The General Plan goals and policies would support the protection of rural characteristics and the continuance for agricultural uses in these rural residential areas.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CONFLICT WITH EXISTING ZONING FOR AGRICULTURAL USES, OR A WILLIAMSON ACT CONTRACT.

Level of Significance Before Mitigation: No Impact.

..Mitigation Measures: No mitigation measures are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.11-12)²

There are no properties are currently under Williamson Act contracts in the City; therefore, no impacts would occur with respect to this issue area.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO AGRICULTURAL RESOURCES.

Level of Significance Before Mitigation: Less Than Significant Impact.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.11.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5.11-13)²

It was determined that the potential for agricultural uses in rural residential areas would remain, and the expansion of agricultural uses in urbanized areas is encouraged. Therefore, it was determined that it would result in less than cumulatively considerable agricultural resource impacts.

..Agricultural impacts associated with implementation of the proposed General Plan 2035 would not occur or would be less than significant with compliance with and/or adherence to State and local regulations, and goal and policies in the proposed General Plan 2035. Therefore, no significant unavoidable agricultural resources impacts would occur as a result of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.11-13 through Page 14)²

Proposed Project - No Substantial Change From Previous Analysis

The proposed code amendment does not involve construction. Individual projects are analyzed for consistency with the MSCHP Plan, subject to subsequent environmental review, and have a project-specific analysis for consistency with CEQA and with the City General Plan goals and policies on an individual project-level basis. Given the preceding discussion, the Code updates would not create a new scenario where there would be the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use; conflict with existing zoning for agricultural use, or a Williamson Act contract. To ensure agricultural resources are not negatively impacted from hillside development, individual projects would still be subject to subsequent environmental review and site-specific analysis for consistency with CEQA and the City General Plan goals and policies.

II. AIR QUALITY - Since the previous ND was adopted and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) a conflict or obstruction of the implementation of the applicable air quality plan; (b) the violation of any air quality standards or contribution to an existing or projected air quality violation; (c) a cumulatively considerable net increase of criteria pollutants (d) exposure of sensitive receptors to pollutants; or (e) a creation of objectionable odors?

YES
☐

NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 SEIR, and Proposed Project

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Negative Declaration

Impacts to Air Quality under the Comprehensive Development Code Negative Declaration were determined to result in a less-than-significant impact in terms of a) violation of any air quality standard or contributing to an existing or projected air quality violation b) exposing sensitive receptors to pollutants c) altering air movement, moisture, or temperature, or cause any change in climate or d) creating objectionable odors.

For context/background, the Project is located within the City of Murrieta in the portion of Riverside County that lies within the South Coast Air Basin (Basin or SCAB). The Project area is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is a 6,600-square-mile coastal plain bounded by the Pacific Ocean to the southwest and the San Gabriel, San Bernardino, and San Jacinto Mountains to the north and east. The Basin includes the non-desert portions of Los Angeles, Riverside, and San Bernardino counties, and all of Orange County.

The ambient concentrations of air pollutants are determined by the amount of emissions released by sources and the atmosphere's ability to transport and dilute such emissions. Natural factors that affect transport and dilution include terrain, wind, atmospheric stability, and sunlight. Therefore, existing air quality conditions in the area are determined by such natural factors as topography, meteorology, and climate, in addition to the amount of emissions released by existing air pollutant sources. The annual average temperatures throughout the SCAB vary from the low to middle 60s (degrees Fahrenheit). Due to a decreased marine influence, the eastern portion of the SCAB shows greater variability in average annual minimum and maximum temperatures. Because the State of California had established Ambient Air Quality Standards (AAQS) several years before the federal action and because of unique air quality problems introduced by the restrictive dispersion meteorology, there is a considerable difference between state and national clean air standards. As noted within the ND:

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 SEIR (2020)

As noted within the General Plan 2035 SEIR, Impacts to Air Quality were determined to be significant and unavoidable for the basin; however, significance the level of these impacts would be determined during project review and appropriate mitigation measures would be developed as appropriate.

..THE PROPOSED PROJECT MAY CONFLICT WITH OR OBSTRUCT IMPLEMENTATION OF THE APPLICABLE AIR QUALITY PLAN

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: Not Applicable

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Level of Significance After Mitigation: Not Applicable (Murrieta General Plan 2035 SEIR, Page 4.3-14 through Page 4.3-15)³

The SEIR included changes to the land uses to create an improved job to housing balance that would create jobs and reduce the VMT within the City which is consistent with the goals of the Regional Transportation Plan / Sustainable Communities Strategy. It was determined that operational emissions would be lower under the SEIR relative to the 2011 General Plan and would reduce the contribution towards an air quality violation or attainment. Additionally, all future development (including development in hillside areas) was required to comply with the goals and policies that would reduce air quality impacts. Provided this background, impacts would be less than significant.

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD RESULT IN A CUMULATIVELY CONSIDERABLE NET INCREASE OF ANY CRITERIA POLLUTANT FOR WHICH THE PROJECT REGION IS NON-ATTAINMENT UNDER AN APPLICABLE FEDERAL OR STATE AMBIENT AIR QUALITY STANDARD

SHORT-TERM CONSTRUCTION EMISSIONS

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

AQ-1 Require the use of Tier 4 emissions standards or better for off-road diesel powered construction equipment of 50 horsepower or greater. To ensure that Tier 4 construction equipment or better will be used during the proposed Project's construction, SCAQMD staff recommends that the Lead Agency include this requirement in applicable bid documents, purchase orders, and contracts. Successful contractor(s) must demonstrate the ability to supply the compliant construction equipment for use prior to any ground disturbing and construction activities. A copy of each unit's certified tier specification or model year specification and California Air Resources Board (CARB) or SCAQMD operating permit (if applicable) shall be available upon request at the time of mobilization of each applicable unit of equipment. Additionally, the Lead Agency should require periodic reporting and provision of written construction documents by construction contractor(s) to ensure compliance and conduct regular inspections to the maximum extent feasible to ensure compliance.

AQ-2 Require zero-emissions or near-zero emission on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted Draft SEIR Page 4.3-17 Murrieta General Plan 2035 February 2020 Air Quality optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. At a minimum, require that construction vendors, contractors, and/or haul truck operators commit to using 2010 model year trucks (e.g., material delivery trucks and soil import/export) that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. The Lead Agency should include this requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

AQ-3 Suspend all on-site construction activities when wind speeds (as instantaneous gusts) exceed 25 miles per hour.

AQ-4 All trucks hauling dirt, sand, soil or other loose materials are to be covered, or should maintain at least two feet of freeboard in accordance with California Vehicle Code Section 23114 (freeboard means vertical space between the top of the load and top of the trailer).

AQ-5 Enter into applicable bid documents, purchase orders, and contracts to notify all construction vendors, contractors, and/or haul truck operators that vehicle and construction equipment idling time will be limited to no longer than five minutes, consistent with the CARB's policy. For any idling that is expected to take longer than five minutes, the engine should be shut off. Notify construction vendors, contractors, and/or haul truck operators of these idling requirements at the time that the purchase order is issued and again when vehicles enter the proposed Project site. To further ensure that drivers understand the vehicle idling requirement, post signs at the proposed Project site, where appropriate, stating that idling longer than five minutes is not permitted.

AQ-6 Have truck routes clearly marked with trailblazer signs, so that trucks will not enter residential areas.

AQ-7 Limit the daily number of trucks allowed at the proposed Project to levels analyzed in the CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the proposed Project through the CEQA process prior to allowing this land use or higher activity level.

Level of Significance After Mitigation: Through adherence with the goals and policies from the 2011 General Plan stated above, as well as the Mitigation Measures (AQ-1 through AQ-7), the proposed Project would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact in terms of construction-related air quality impacts. However, even with implementation of the 2011 General Plan goals and policies, the proposed Project's construction projects could have the potential to exceed SCAQMD construction thresholds. Therefore, similarly to the 2011 General Plan, the proposed Project would result in a Significant Unavoidable Impact in this regard.

..LONG-TERM MOBILE AND STATIONARY SOURCE EMISSIONS

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

AQ-8 Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).

AQ-9 Should the proposed Project generate significant regional emissions, the Lead Agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks, and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Draft SEIR, the Lead Agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. SCAQMD staff is available

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency.

AQ-10 Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the Lead Agency require the proposed Project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, SCAQMD staff recommends that the Lead Agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should be appropriately sized to allow for future expanded use.

AQ-11 Design warehouses or distribution centers such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.

AQ-12 Design warehouses or distribution centers such that any check-in point for trucks is well inside the site to ensure that there are no trucks queuing outside of the facility.

AQ-13 Design warehouses or distribution centers to ensure that truck traffic within the site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.

AQ-14 Restrict overnight parking in residential areas.

AQ-15 Establish overnight parking within warehouses or distribution centers where trucks can rest overnight.

AQ-16 Establish area(s) within warehouses or distribution centers for repair needs.

AQ-17 Develop, adopt and enforce truck routes to and from warehouses or distribution centers that avoid sensitive receptors, where feasible.

AQ-18 Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between warehouses or distribution centers and sensitive receptors.

AQ-19 Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the proposed Project site to generate solar energy for the facility.

AQ-20 Maximize the planting of trees in landscaping and parking lots.

AQ-21 Use light colored paving and roofing materials (e.g., “cool” roofs and “cool” pavements).

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

AQ-22 Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

AQ-23 Require use of electric or alternatively fueled sweepers with HEPA filters.

AQ-24 Use of water-based or low VOC cleaning products.

Level of Significance After Mitigation: Through adherence with the goals and policies from the 2011 General Plan and the proposed Project, as well as the Mitigation Measures stated above (AQ-8 through AQ-24), the proposed Project would not result in a new significant impact or a substantial increase in the severity of the previously identified significant impact in terms of mobile and stationary source emissions. However, even with implementation of the 2011 General Plan goals and policies and new proposed Project policies, development under the proposed Project could have the potential to exceed SCAQMD thresholds. Therefore, similarly to the 2011 General Plan, the proposed Project would result in a Significant Unavoidable Impact to long-term mobile and stationary source emissions. (Murrieta General Plan 2035 SEIR, Page 4.3-15 through 4.3-22)³

All future development projects are reviewed for consistency with implementing AQ-1 through AQ-24 on a site-specific basis either as mitigation measures and/or project design features. Provided this background, air quality pollutants are reduced to below a level of significance as applicable. It was noted that development projects could have the potential to exceed SCAQMD construction thresholds; however with review for site-specific conditions, there may be opportunities to further reduce these pollutants.

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD EXPOSE SENSITIVE RECEPTORS TO SUBSTANTIAL POLLUTANT CONCENTRATIONS

Level of Significance Before Mitigation: Less than Significant Impact.

..Mitigation Measures: Not Applicable

Level of Significance After Mitigation: Not Applicable (Murrieta General Plan 2035 SEIR, Page 4.3-22 through Page 4.3-24)³

All future development projects are reviewed for consistency with implementing the goals and policies included in the 2011 General Plan (AQ-1.1 – AQ-1.5, AQ-2.1 – AQ-2.5, AQ-4.1 – AQ-4.4, AQ-5.1 – AQ-5.7, AQ-6.1, AQ-6.3 – AQ-6.7, AQ-7.1, AQ-7.3, LU-8.1, LU-8.2, CIR-1.4, CIR-5.9 – CIR-5.12, and CIR-6.1 – CIR-6.12), SCAQMD's permit requirements for stationary sources, and the reduction in future citywide VMT relative to the 2011 General Plan would reduce the health risk to sensitive receptors. Provided this background, the impacts on sensitive receptors would be less than significant. (Murrieta General Plan 2035 SEIR, Page 4.3-24)³

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD RESULT IN OTHER EMISSIONS (SUCH AS THOSE LEADING TO ODORS) ADVERSELY AFFECTING A SUBSTANTIAL NUMBER OF PEOPLE.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: Not Applicable

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Level of Significance After Mitigation: Not Applicable

Future development projects could result in odors; however it would remain below a level of significance based on the following discussion: *..odors from the use of heavy-duty diesel equipment, and the laying of asphalt during project-related construction activities would be intermittent and temporary and would dissipate rapidly from the source with an increase in distance*

The proposed land uses under the proposed Project are not considered significant odor generators that would adversely affect sensitive receptors during operations; all land uses would contain uses that are common in the surrounding areas. The goals and policies provided in the 2011 General Plan (AQ-2.1 through AQ-2.5 and AQ-6.1) would help reduce exposure of odors to sensitive receptors through land use decisions under the proposed Project. Operation of this new development would be subject to these goals and policies and shall be subject to SCAQMD Rule 402. In addition, future citywide VMT under the proposed Project would decrease relative to future citywide VMT under the 2011 General Plan, which would not increase and could reduce odors associated with on-road vehicles.

Therefore, implementation of the proposed Project would not result in exposure of a substantial number of people to objectionable odors and would be a less than significant impact. (Murrieta General Plan 2035 SEIR, Page 4.3-25)³

..REGIONAL AIR QUALITY EMISSIONS RESULTING FROM OPERATIONAL BUILDOUT OF THE PROPOSED PROJECT COULD IMPACT REGIONAL AIR QUALITY LEVELS ON A CUMULATIVELY CONSIDERABLE BASIS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the 2011 General Plan, the proposed Project and Mitigation Measures AQ 1 – AQ 24 are available.

Level of Significance After Mitigation: The cumulative impacts of the proposed Project would be consistent with the cumulative impact conclusions identified in the 2011 General Plan EIR; Significant Unavoidable Impacts for construction and regional air quality, Less than Significant for localized air quality and cumulative odor impacts. The proposed Project would not result in a new significant impact or a substantial increase in the severity of a previously identified significant cumulative impact.

4.3.6 Significant Unavoidable Impacts

The proposed Project would result in a significant unavoidable impact for the following areas:

☐ *Short-Term Construction Emissions. Project-related emissions (associated with future development and infrastructure projects facilitated by the proposed Project) are anticipated to exceed SCAQMD thresholds, construction-related emissions are considered significant unavoidable.*

☐ *Long-Term Mobile and Stationary Source Emissions. Full buildout of the proposed Project's land uses would cause emissions to exceed SCAQMD's recommended thresholds, thus violating air quality standards and would contribute substantially to an existing or projected air quality violation. Because the*

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

ambient air quality standards are established to be protective of public health, adverse health impacts to receptors are anticipated due to the project's emissions being above SCAQMD's thresholds. Review of individual developments are anticipated under the proposed Project to determine whether potential air pollutant emissions generated from growth could result in a significant impact to air quality. The significance level of these impacts would be determined during review and appropriate mitigation measures would be developed. However, due to the magnitude of development and associated mobile and stationary source air quality impacts, impacts in this regard would be significant unavoidable.

☐ *Cumulative Short-Term Construction and Long-Term Mobile and Stationary Source Emissions Impacts. Even with implementation of the proposed Project goals and policies, and mitigation measures described in this section, emissions from operations of future development associated with implementation of the proposed Project would potentially exceed the SCAQMD thresholds for criteria pollutants, resulting in a significant impact. In accordance with SCAQMD methodology, any project that cannot be mitigated to a level of less than significant is also significant on a cumulative basis. All other air quality impacts associated with implementation of the proposed Project would be less than significant by adherence to and/or compliance with goals and policies in the 2011 General Plan and proposed Project and the Mitigation Measures listed above (AQ 1 – AQ 24). (Murrieta General Plan 2035 SEIR, Page 4.3-26 through 4.3-29)³*

Proposed Project - No Substantial Change From Previous Analysis

The code amendments do not propose a change in land use designation or zoning and would remain consistent with the land use and growth intensities reflected in the adopted General Plan. The Project updates and clarifies existing administrative planning and engineering code processes and some minor existing development standards that currently exists within MMC which apply throughout the City and within hillside areas. Provided this background, the Project would not violate of air quality standards or contribute to an existing or projected air quality violation; expose sensitive receptors to pollutants; altering air movement, moisture, or temperature, or cause any change in climate or create objectionable odors. All of these issues would still be subject to environmental review under CEQA, with site-specific analysis supported with technical air quality studies; the City's development review process; and would be required to demonstrate consistency with General Plan policies and compliance with City's Municipal Code development standards. Mitigation Measures AQ 1 – AQ 24 would be carried forward on an individual project-level basis.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or SEIR. The Project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Air Quality) and General Plan Supplemental Environmental Impact Report for this issue area (Air Quality), nor would a substantial increase in the severity of impacts from that described in the ND and General Plan SEIR would result.

III. BIOLOGICAL RESOURCES -- Since the previous ND was adopted and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) candidate, sensitive, or special status species; (b) any riparian habitat or other natural sensitive community; (c) wetland habitat; (d) wildlife dispersal or migration corridors; (e) conflict with local policies or ordinances protecting biological resources; or (f) conflict with the provisions of a habitat conservation plan?

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan FEIR, and Proposed Project

Negative Declaration

Impacts to Biological Resources as assessed under the Comprehensive Development Code Negative Declaration were determined to remain “Less than Significant” in terms of impacting endangered, threatened or rare species or their habitats (including, but not limited to plants, fish, insects, animals, and birds); locally designated species and/or natural communities (e.g. heritage trees, oak forests, etc.); Wetland habitat (e.g. marsh, riparian and vernal pools); Wildlife dispersal or migration corridors, (including, but not limited to Murrieta Creek, Warm Springs Creek and Cole Creek). As noted within the ND:

“..The document includes provisions to be consistent with National Pollution Discharge Elimination System (NPDES) regulations as well as including adherence with grading and building code requirements to minimize impacts to related to water hazards, drainage, ground water and surface waters. The document will not substitute any existing local, state or federal regulations dealing with biological or cultural resources. The document will not substitute any existing local, state or federal regulations dealing with biological or cultural resources. Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act.”

“..The Development Code defines the administrative processes necessary for development within the City.” (Comprehensive Dev. Code, IS-11)¹

General Plan FEIR (2011)

As noted within the General Plan 2011 FEIR, impacts to biological resources were determined to have a “less-than-significant” impact with respect to the following issue areas:

“..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD HAVE AN ADVERSE EFFECT, EITHER DIRECTLY OR THROUGH HABITAT MODIFICATIONS, ON ANY SPECIES IDENTIFIED AS A CANDIDATE, SENSITIVE, OR SPECIAL STATUS SPECIES.

Level of Significance Before Mitigation: Less Than Significant Impact.

“..Goals and Policies in the Proposed General Plan 2035:

LAND USE ELEMENT

Goal

LU-22 Natural and visual resources are valued resources to maintain the rural character of the Los Alamos Hills.

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-22.3 Encourage development that minimizes impacts to existing water courses, mature trees, and natural features as much as possible. In those cases that these areas/features are impacted, the final design should provide adequate mitigation on-site and/or in nearby areas.

LU-22.4 Encourage healthy and structurally sound, existing groves of eucalyptus and other mature non-native trees located west of Warm Springs Creek to be considered a visual asset to the area, and should be conserved and maintained to the maximum degree practicable.

Goal

LU-25 Collaboration with Federal, State, County, and other regional agencies and authorities to ensure compliance with existing and future legislation that affects the City of Murrieta.

Policies

LU-25.1 Provide a strong role in the development of regional planning efforts by ensuring local land use issues are adequately addressed at the regional level.

CONSERVATION ELEMENT

Goal CSV-3 A community that participates in a multi-jurisdictional approach to protecting, maintaining, and improving water quality and the overall health of the watershed.

Policies

CSV-3.5 Seek opportunities to restore natural watershed function as an added benefit while mitigating environmental impacts.

Goal

CSV-4 Restoration of the natural function and aesthetic value of creeks, while providing flood control measures and opportunities for recreation.

Policies

CSV-4.1 Prioritize creek preservation, restoration and/or mitigation banking along creeks as mitigation for environmental impacts.

CSV-4.3 Preserve Warm Springs Creek and Cole Creek as a wildlife corridor, while accommodating flood control measures and passive recreation.

CSV-4.4 Retain and restore natural drainage courses and their function where health and safety are not jeopardized.

CSV-4.5 Support efforts for restoration, flood control, and recreation along Murrieta Creek, in coordination with regional and federal plans.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CSV-4.6 Seek funds and provide support for creek restoration, maintenance and protection through grant and mitigation programs, development entitlements, and non-profit organizations.

Goal

CSV-5 Hills and ridges are protected for their environmental and aesthetic values.

Policies

CSV-5.1 Promote compliance with hillside development standards and guidelines to maintain the natural character and the environmental and aesthetic values of sloped areas.

Goal CSV-8 Conservation of biological resources through habitat preservation and restoration, in coordination with other regional efforts and in compliance with state and federal mandates.

Policies

CSV-8.1 Facilitate the conservation of habitat areas and wildlife corridors under the Western Riverside Multiple Species Habitat Conservation Plan.

CSV-8.2 Comply with applicable policies and regulations of regional, State, and Federal agencies to achieve common goals for preservation of habitat and the protection of threatened and endangered species.

CSV-8.3 Work with public and private land owners to conserve biological resources.

CSV-8.4 Review development projects to determine their impact on biological resources, and compliance with state and federal regulations.

CSV-8.5 Address Western Riverside Multiple Species Habitat Conservation Plan policies to preserve jurisdictional, wetland, vernal pool and other areas whose hydrology supports habitat and species identified for conservation in the Plan.

CSV-8.6 Address Western Riverside Multiple Species Habitat Conservation Plan policies for an urban interface, to reduce the impacts from toxics, light, noise, invasive plant species and domestic predators (pets).

RECREATION AND OPEN SPACE ELEMENT

Goal

ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

Policies

ROS-7.1 Preserve and enhance open space resources in Murrieta.

ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

ROS-7.3 Seek opportunities to designate open space along waterways, while also providing for the development of trails.

ROS-7.4 When possible, link open space and parks for the movement of wildlife and people. (Murrieta General Plan 2035 FEIR, Page 5.10-47 through Page 5-10-49)²

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Pages 5.10-42 to 5-10-49)²

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD HAVE AN ADVERSE EFFECT ON A SENSITIVE VEGETATION COMMUNITY, INCLUDING RIPARIAN HABITAT AND FEDERALLY PROTECTED WETLANDS.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.10.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD INTERFERE WITH AN ESTABLISHED WILDLIFE CORRIDOR.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies identified in the proposed General Plan 2035 required.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CONFLICT WITH A LOCAL POLICY OR ORDINANCE PROTECTING BIOLOGICAL RESOURCES.

Level of Significance Before Mitigation: Less Than Significant Impact

..CONSERVATION ELEMENT

Goal CSV-9 A community that promotes the growth of an urban forest and water-efficient landscaping, recognizing that plants provide natural services such as habitat, storm water management, soil retention, air filtration, and cooling, and also have aesthetic and economic value.

Policies

CSV-9.1 Identify and protect native trees, trees of historic or cultural significance, and mature trees, consistent with the Tree Preservation Ordinance.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CONFLICT WITH THE PROVISIONS OF THE WESTERN RIVERSIDE COUNTY MSHCP.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.10.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO BIOLOGICAL RESOURCES.

Level of Significance Before Mitigation: Less Than Significant Impact.

Mitigation Measures: Refer to the goals and policies referenced above in this Section 5.10.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

.. Biological impacts associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with goals and policies in the proposed General Plan 2035, compliance with the City's MSHCP Implementation Policy, Local Development Mitigation Fee Ordinance, and Development Code, and the Western Riverside County MSHCP. No significant unavoidable impacts to biological resources would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.10-42 through Page 5-10-60)²

Proposed Project - No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with site-specific analysis and technical biological resource studies. Future development projects would be reviewed for consistency with the Migratory Bird Treaty Act and nesting birds surveys; jurisdictional delineation of United States Army Corp. of Engineers (USACOE), United States Dept. of Fish and Wildlife (USFWS) areas Regional Water Quality Control Board (RWQCB), and California Dept. of Fish and Wildlife (CDFW) areas; consistency with the Multi-Species Habitat Conservation Plan (MSHCP); MSHCP Riparian/Riverine, Vernal Pool and Fairy Shrimp Requirements; MSHCP Narrow Endemic Plant Species Survey Requirements; MSHCP Urban/Wildlands Interface Guidelines; MSHCP Criteria Area Species Survey Requirements; MDC Chapter 16.42 (Tree Preservation); the City's development review process; and would be required to demonstrate consistency with General Plan Goals LU-22, LU-25, CSV-3, CSV-4, CSV-5, CSV-8, ROS-7 and corresponding Policies LU-22.3, LU-22.4, LU-25.1, CSV-3.5, CSV-4.1, CSV-4.3, CSV-4.4, CSV-4.5, CSV-4.6, CSV-5.1, CSV-8.1 through CSV-8.6, and ROS-7.1 through ROS-7.4. Therefore, provided this background, the circumstances under which the Project is to be undertaken has not experienced a substantial change relative to the biological resource impacts identified in the ND and General Plan FEIR would result, and no new or increased impacts are forecasted to result.

IV. CULTURAL RESOURCES -- Since the previous ND was adopted and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) adverse change in the significance of a historical resource, (b) adverse change in the significance of an archaeological resource, or (c) directly or indirectly destroy a unique paleontological resource or site or unique feature; or (d) disturb any human remains, including those interred outside of formal cemeteries?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan FEIR, and Proposed Project

Negative Declaration

Impacts to Cultural Resources were assessed under the Comprehensive Development Code Negative Declaration were determined to remain "Less than Significant" in terms of disturbing paleontological resources, disturbing archaeological resources, affecting historical resources, having the potential to cause a physical change which would affect unique ethnic cultural values, and restricting existing religious or sacred uses within the potential impact area. As noted within the ND:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..The document will not substitute any existing local, state or federal regulations dealing with biological or cultural resources. Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act.

..The Development Code defines the administrative processes necessary for development within the City. (Comprehensive Dev. Code, IS-11)¹

General Plan FEIR (2011)

Impacts to Cultural Resources were assessed under the General Plan FEIR were determined to be “Potentially Significant” with respect to below issue areas. However, mitigation measures were provided to reduce this to below a level-of-significance. These are carried forward on a project-level basis including areas with hillside development:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD IMPACT HISTORICAL AND ARCHAEOLOGICAL RESOURCES.

Level of Significance before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

CR-1 Future development projects shall continue to be evaluated for cultural resources by the City of Murrieta through review by the Eastern Information Center (EIC) and notification of and consultation with the local tribes for new entitlement projects. The projects shall be evaluated for compliance with the California Environmental Quality Act (CEQA) and where feasible, avoidance of cultural resources. If, following review by the EIC and/or tribal consultation, it is determined that there is a potential for impacts to cultural resources, further cultural resources analysis by a qualified professional(s), as defined in Mitigation Measure CR-2, may be required by the City.

CR-2 In the event that cultural resources (archaeological, historical, paleontological) resources are inadvertently unearthed during excavation and grading activities of any future development project, the contractor shall cease all earth-disturbing activities within a 100-foot radius of the area of discovery. If not already retained due to conditions present pursuant to Mitigation Measure CR-1, the project proponent shall retain a qualified professional (i.e., archaeologist, historian, architect, paleontologist, Native American Tribal monitor), subject to approval by the City of Murrieta to evaluate the significance of the find and appropriate course of action (refer to Mitigation Measures CR-1 and CR-3). If avoidance of the resources is not feasible, salvage operation requirements pursuant to Section 15064.5 of the CEQA Guidelines shall be followed. After the find has been appropriately avoided or mitigated, work in the area may resume.

Level of Significance After Mitigation: Less than Significant Impact. (Murrieta General Plan 2035 FEIR, Page 5-9-21 through Page 5-9-25)²

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD IMPACT UNMARKED BURIAL SITES.

Level of Significance before Mitigation: Potentially Significant Impact.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..Mitigation Measures:

CR-3 In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to State Health and Safety Code Section 7050.5, no further disturbance shall occur until the County coroner has made the necessary findings as to origin and disposition pursuant to Public Resources Code Section 5097.98. If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendant of the deceased Native American, who shall serve as consultant on how to proceed with the remains.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD DIRECTLY OR INDIRECTLY IMPACT A UNIQUE PALEONTOLOGICAL RESOURCE OR SITE.

Level of Significance before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures CR-1 and CR-2. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO CULTURAL RESOURCES.

Level of Significance before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures CR-1 through CR-3. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..Impacts related to cultural resources associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with the existing regulatory framework, proposed General Plan 2035 goals and policies, and mitigation measures. No significant unavoidable cultural resource impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5-9-21 through Page 5-9-28)²

Proposed Project - No Substantial Change From Previous Analysis

As noted previously for context/background, this Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exist within MMC which apply throughout the City and within hillside areas. The proposed code amendments would not create an adverse change in the significance of a historical resource, create an adverse change in the significance of an archaeological resource, directly or indirectly destroy a unique paleontological resource or site or unique feature; or disturb any human remains, including those interred outside of formal cemeteries as individual development projects would still be subject to project and environmental review under CEQA with site-

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

specific analysis and paleontological, cultural, and tribal cultural resource studies; reviewed for consistency under Senate Bill 18 and Assembly Bill 52, and reviewed for significance as an archeological resource pursuant to Government Code §15064.5. Mitigation Measures CR-1 through CR-3 would be carried forward as applicable, which covers the notification of and consultation with tribal governments, inadvertent discoveries during excavation and grading activities with determination of significance by subject-matter experts, and the ceasing of all onsite grading activities if anything is discovered.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or General Plan FEIR. The project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration (Cultural Resources) and General Plan FEIR (Cultural Resources) would result and no new or increased impacts are forecasted to result, nor would a substantial increase in the severity of impacts with the implementation of Mitigation Measures CR-1 through CR-3 on a project-level basis.

V. ENERGY -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with wasteful, inefficient, or unnecessary consumption of energy; or creating a conflict with existing energy standards and regulations; or placing a significant demand on local and regional energy supplies or require a substantial amount of additional capacity.

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan FEIR, and Proposed Project

Negative Declaration

Impacts to "Energy" were assessed under "Energy and Mineral Resources" under the Comprehensive Development Code Negative Declaration. Impacts were determined to remain "Less than Significant" in terms of conflicting with adopted energy conservation plans, and use of non-renewable resources in a wasteful and inefficient manner. As described within the ND:

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act.

..The Development Code defines the administrative processes necessary for development within the City. (Comprehensive Dev. Code, IS-11)¹

As noted previously for context/background, this Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with site-specific analysis for energy usage; and reviewed for consistency with State Building Energy Efficiency Standards, embodied in Title 24 of the California Code of Regulations; in consultation with Southern California Edison (SCE) for energy requirements; and reviewed in consultation with Southern California Gas for natural gas requirements. These efficiency

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

standards apply to all new construction of buildings and regulate energy consumed for heating, cooling, ventilation, water heating, and lighting. Sites would also be required to be reviewed against the following General Plan policies as well:

INF-1.5 - Continue to require new development and redevelopment to provide verification that energy utilities are able to accommodate the additional demand for service.

INF-1.6 - Provide information to water districts, Riverside County Flood Control and Water Conservation District (RCFCWCD), and energy utilities in their planning efforts to ensure adequate infrastructure is available for anticipated development.

CSV-12.1- Ensure that all developments comply with energy efficiency requirements as mandated by the applicable Building Code.

CSV-12.3 - Support the on-site installation and use of renewable energy generation systems for residential, commercial, institutional, and industrial uses.

General Plan FEIR (2011)

Impacts to Energy were assessed under the General Plan EIR under “Electricity and Natural Gas”. The impacts were determined to remain below a level of significance with the implementation of the General Plan’s Goals and Policies for this issue area:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN INCREASED DEMAND FOR ELECTRICITY PROVIDED WITHIN THE CITY.

Level of Significance before Mitigation: Less Than Significant Impact.

..INFRASTRUCTURE ELEMENT

Goal INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.

Policies

INF-1.2 Discourage development in areas without connections to existing infrastructure, unless infrastructure is being provided.

INF-1.5 Continue to require new development and redevelopment to provide verification that energy utilities are able to accommodate the additional demand for service.

INF-1.7 Encourage the preparation and updates of master plans by the appropriate providers or agencies to conduct detailed long-range planning to ensure the efficient provision of public services, infrastructure, and/or utilities.

CONSERVATION ELEMENT

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Goal CSV-12 Energy conservation and the generation of energy from renewable sources is prioritized as part of an overall strategy to reduce greenhouse gas emissions.

Policies

CSV-12.1 Ensure that all developments comply with energy efficiency requirements as mandated by the applicable Building Code

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5-22-6 through Page 5-22-28)²

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN INCREASED DEMAND FOR NATURAL GAS PROVIDED WITHIN THE CITY.

Level of Significance before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.22.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5-22-10 through Page 5-22-11)²

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO ELECTRICAL AND/OR NATURAL GAS SERVICES AND FACILITIES.

Level of Significance before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035: Refer to the goals and policies referenced above in this Section 5.22.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable. (Murrieta General Plan 2035 FEIR, Page 5-22-10 through Page 5-22-11)²

..Electricity and natural gas impacts associated with implementation of the proposed General Plan 2035 would be less than significant with compliance with and/or adherence to Federal, State and local regulations, and goal and policies in the proposed General Plan 2035. Therefore, no significant

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

unavoidable electricity or natural gas impacts would occur as a result of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5-22-6 through Page 5-22-11)²

Proposed Project - No Substantial Change From Previous Analysis

Provided this background, and required subsequent analysis on an individual project level basis, impacts to Energy would remain below a level of significance for substantial adverse physical impacts associated with wasteful, inefficient, or unnecessary consumption of energy as all new development requires compliance with the latest version of the locally adopted California Green Building and Energy Codes for energy efficiency and renewable sources. Also, there are requirements for on-site installation and use of renewable energy generation systems for residential, commercial, institutional, and industrial uses as applicable. The code amendments do not create a situation where there would be a conflict with existing energy standards and regulations; or placing a significant demand on local and regional energy supplies or require a substantial amount of additional capacity.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or General Plan FEIR. The project would not result in any new significant impacts which were disclosed and analyzed within the ND (Energy and Mineral Resources) and General Plan FEIR (Electricity and Natural Gas) for this issue area with implementation of General Plan's Goals INF-1 and CSV-12 with corresponding Policies INF-1.2, INF-1.5, INF-1.7, and CSV-12.1 on a project-level basis. Provided this background, it would not result a substantial increase in the severity of impacts from that described in the ND or General Plan FEIR.

VI. GEOLOGY AND SOILS -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; (b) soil erosion or loss of topsoil; (c) being located on a geologic unit or soil that is unstable, that could result in landslide, lateral spreading, subsidence, liquefaction or collapse; (d) expansive soils; or (e) soils that are inadequate to support the use of septic tanks or alternative wastewater disposal systems?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 FEIR, and Proposed Project

Negative Declaration

Impacts to "Geology and Soils" were determined to be "Less Than Significant" for seismicity: fault rupture; seismicity: ground shaking or liquefaction; seismicity: special study zone; impacts from landslides or mudslides; impacts from erosion, impacts from changes in topography or unstable soil conditions from excavations, impacts from grading or fill; impacts from the subsidence of the land; impacts from having expansive soils; and impacts from unique geologic or physical features.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with a site-specific analysis. As noted within the ND, sites would also be required to reviewed for conformance with the General Plan:

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

The Project is located in the City of Murrieta, which is an area with several active faults, including two Alquist-Priolo Special Study Zones classified as such under the Alquist-Priolo Earthquake Fault Zoning Act. Figure VII-1 shows where these faults are located as indicated by the City of Murrieta General Plan 2035. Several faults run through the City, and as with much of Southern California, and any proposed structures will be subject to strong seismic ground-shaking impacts should any major earthquakes occur in the future. As a result, and like all other development projects in the City and throughout the Southern California Region, any future development projects will be required to comply with all applicable seismic design standards contained in the latest version of California Building Code (CBC), including Section 1613 Earthquake Loads. Review for compliance with the CBC will ensure that structural integrity of the occupied buildings will be maintained in the event of an earthquake and for seismically induced landslides and other slope failures which are common occurrences during or soon after earthquakes. The potential for soil erosion, loss of topsoil, and/or placing structures on unstable soils and impacts from unique geologic or physical features will be reviewed with specific technical analysis associated with the review of a development application. Any future development projects requires compliance with City grading standards, best management practices and the Storm Water Pollution Prevention Plan (SWPPP) and Water Quality Management Plan (WQMP) are required to control the potential significant erosion hazards.

General Plan FEIR (2011)

Impacts to Geology and Soils were assessed under the General Plan FEIR under “Geology and Seismic Hazards”. The impacts were determined to remain below a level of significance with the implementation of the General Plan’s Goals and Policies for this issue area:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD EXPOSE PEOPLE AND STRUCTURES TO POTENTIALLY SUBSTANTIAL ADVERSE EFFECTS INVOLVING FAULT RUPTURE OR STRONG SEISMIC GROUNDSHAKING.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

SAFETY ELEMENT

Goal SAF-2 Damage from geologic and seismic hazards is minimized by identifying and addressing these hazards during the planning and engineering of built improvements.

Policies

SAF-2.1 Prior to site development, projects located in areas where liquefaction, subsidence, landslide and fissuring are considered hazards shall be required to prepare geologic reports addressing site conditions, potential risk, and mitigation, to the satisfaction of the City Engineer.

SAF-2.2 Require that all new development comply with the Alquist-Priolo Earthquake Fault Zoning Act.

SAF-2.3 Seek to maintain emergency access in the event of an earthquake by engineering roadways to reduce damage to them.

Goal SAF-12 Murrieta is prepared to coordinate effective response and recovery efforts for major emergencies.

Policies

SAF-12.1 Maintain an effective, coordinated and up-to-date Emergency Operations Plan in partnership with the Riverside County and other agencies.

SAF-12.2 Support a safe, secure, and technologically advanced Emergency Operations Center (EOC) to coordinate the City's response to disasters and maintain training of City personnel in operation of the EOC.

SAF-12.3 Review and test the City's Emergency Operations Plan periodically to note any deficiencies or practices requiring modification.

SAF-12.4 Provide training to maintain City staff proficiency in implementation of the Emergency Operations Plan, for all staffing levels.

SAF-12.5 Provide public outreach, presentations, and information that prepares residents and businesses to safeguard life and property during and immediately after emergencies.

SAF-12.6 Participate in regularly scheduled disaster exercises to better prepare Police, Fire and other City employees with disaster responsibilities.

SAF-12.7 Continue to participate in maintaining the Riverside County Multi-Jurisdictional Local Hazard Mitigation Plan, and incorporate it into City planning efforts as appropriate.

Mitigation Measures:

GEO-1 Prior to issuance of a Grading Permit for each future development project, a registered geologist or soils engineer shall prepare an area-specific Geologic Study, which shall be submitted to the Public

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Works or Building and Safety Department for approval. The Geologic Study shall specify the measures necessary to mitigate impacts related to fault rupture, groundshaking, landslides, liquefaction or dynamic settling, expansive or collapsible soils, lateral spreading, and other geologic and seismic hazards, if any. All recommendations in the Geologic Study shall be implemented during area preparation, grading, and construction.

GEO-2 Prior to issuance of any Grading Permit, project applicants of future development projects shall comply with each of the recommendations detailed in the Geotechnical Study, and other such measure(s) as the City deems necessary to adequately mitigate potential seismic and geotechnical hazards.

Level of Significance After Mitigation: Less than Significant Impact.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD EXPOSE PEOPLE AND STRUCTURES TO POTENTIAL SUBSTANTIAL ADVERSE EFFECTS FROM SEISMIC-RELATED OR OTHER TYPES OF GROUND FAILURES.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures GEO-1 and GEO-2. No additional mitigation measures are required.

Level of Significance After Mitigation: Less than Significant Impact.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS RELATED TO SOIL EROSION OR LOSS OF TOPSOIL.

Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..FUTURE DEVELOPMENT RESULTING FROM IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS RELATED TO EXPANSIVE SOILS, SOIL STRENGTH, OR THE POTENTIAL TO SUPPORT SEPTIC TANKS OR ALTERNATIVE WASTE WATER DISPOSAL SYSTEMS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to the goals and policies referenced above in this Section 5.8. Refer to Mitigation Measures GEO-1 and GEO-2. No additional mitigation measures are required. Less Than Significant Impact.

Level of Significance After Mitigation: Less Than Significant Impact.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS RELATED TO SEISMIC, GEOLOGIC, AND SOIL CONDITIONS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures GEO-1 and GEO-2. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..Impacts related to geologic, soil, and seismicity associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with policies and implementation measures in the proposed General Plan 2035. No significant unavoidable geologic, soil, and seismic impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5-8-25 through Page 5-8-31)²

Proposed Project - No Substantial Change From Previous Analysis

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or General Plan EIR. The project would not result in any new significant impacts which were disclosed and analyzed within the ND (Geology and Soils) and General Plan FEIR (Geology and Seismic Issues) for this issue area with implementation with the implementation General Plan's Goals and Policies and Mitigation Measures GEO-1 through GEO-2 on a project-level basis. With the code amendments, there is no "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, including liquefaction, or landslides; soil erosion or loss of topsoil; sites being located on a geologic unit or soil that is unstable, that could result in landslide, lateral spreading, subsidence, liquefaction or collapse; sites with expansive soils; or locations with soils that are inadequate to support the use of septic tanks or alternative wastewater disposal systems.

The identification of these issues would be provided through project review as described under the Safety Element's Goals and Policies above and through the CEQA process with associated mitigation measures and/or project design features. Furthermore, depending on a given site's location, future development projects may have to seismic studies and geotechnical studies to support development in both hillside and non-hillside areas depending on the existing baseline characteristics and areas of a project site for potential avoidance. Provided this background and review for consistency, there would not result in any new or increased impacts forecasted to result, nor would a substantial increase in the severity of impacts with review/implementation of the General Plan's Goals SAF-2 and SAF-12 and Policies SAF-2.1, SAF-2.3, SAF-12.1 through SAF-12.7, and Mitigation Measures GEO-1 through GEO-2 on a project-level basis.

VII. GREENHOUSE GAS EMISSIONS -- Since the previous ND was adopted, and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) the generation of greenhouse gas emissions that may have a significant impact on

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

the environment; or (b) a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 SEIR, and Proposed Project

Negative Declaration

California Environmental Quality Act (CEQA) Guidelines, Section 15128, allows environmental issues for which there is no likelihood of a significant impact to not be discussed in detail or analyzed further in the ND. While Greenhouse Gas Emissions was not analyzed in detail, as outlined in CEQA Section 15128, there is no new information available that would indicate that these issues would result in new significant impacts based on the scope of the Project. The code updates modify and clarify existing planning and engineering standards to support future development throughout the City does not propose changes to existing land uses or density. Individual development projects would require compliance with latest version of the Climate Action Plan Consistency Checklist and be reviewed for consistency under CEQA.

General Plan 2035 SEIR (2020)

Impacts from Greenhouse Gas Emissions were assessed under the General Plan SEIR under "Greenhouse Gas Emissions." The impacts were determined to remain below a level of significance with the implementation of the following Mitigation Measures and implementation of the General Plan's Goals and Policies as provided within the Climate Action Plan for this issue area:

..GREENHOUSE GAS EMISSIONS GENERATED BY DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT COULD HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Level of Significance Before Mitigation: Potentially significant impact.

..Mitigation Measures:

GHG-1 The approved Draft CAP Update and General Plan Update shall identify strategies, measures, and actions that would be implemented to reduce GHG emissions consistent with State legislative requirements. The approved Draft CAP Update and General Plan Update shall include the following components in order to be consistent with CEQA Guidelines Section 15183.5:

GHG-1.1 Prepare community baseline GHG emission inventories and analyze the potential growth of these emissions over time;

GHG-1.2 Establish communitywide GHG emission reduction targets for forecasted years 2030, 2035 (General Plan Update horizon year) and 2050 consistent with guidance provided in SB 32;

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

GHG-1.3 Identify and evaluate strategies, measures, and actions to reduce community GHG emissions to comply with the established community GHG reduction targets;

GHG-1.4 Establish a comprehensive approach to reduce community GHG emissions by incorporating technologically feasible GHG emission reduction measures;

GHG-1.5 Establish a mechanism to monitor the plan's progress toward achieving the level and to require amendment if the plan is not achieving specified levels;

GHG-1.6 Provide a mechanism through which future projects may tier and streamline their analysis of GHG emissions pursuant to CEQA Guidelines Section 15183.5(b)(2); and

GHG-1.7 Be adopted in a public process following environmental review.

GHG-1.8 Upon adoption, the CAP will be monitored and progress for achieving targets will be reported on a regular basis as follows:

- ☐ *Implementation Monitoring Report – prepared annually;*
- ☐ *Greenhouse Gas Emissions Inventory – updated every two years; and*
- ☐ *Climate Action Plan – updated every five years.*

Level of Significance After Mitigation: The proposed Draft CAP Update and General Plan Update identifies strategies, measures, and actions that would be implemented to reduce GHG emissions consistent with State legislative requirements, therefore with the implementation of the mitigation measures above, the GHG emissions generated by development associated with the implementation of the proposed Project would be less than significant.

..GREENHOUSE GAS EMISSIONS RESULTING FROM DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND CUMULATIVE DEVELOPMENT COULD IMPACT GREENHOUSE GAS EMISSIONS ON A CUMULATIVELY CONSIDERABLE BASIS.

Level of Significance Before Analysis and Mitigation: Potentially significant impact.

..Mitigation Measures: Mitigation Measure GHG-1 as described above.

..GREENHOUSE GAS EMISSIONS GENERATED BY DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT COULD HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Level of Significance Before Mitigation: Potentially significant impact.

..Mitigation Measures: Mitigation Measure GHG-1 as described above.

Level of Significance After Mitigation: The proposed Draft CAP Update identifies strategies, measures, and actions that would be implemented to reduce GHG emissions consistent with State legislative requirements. Therefore, with the implementation of the mitigation measures stated above and the adopted

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Draft CAP Update, GHG emissions generated by the proposed Project would be reduced to meet State GHG reduction targets. Therefore, after mitigation the level of significance would be less than significant.

..As discussed in Section 4.4.4, GHG emissions impacts associated with implementation of the proposed Project would be less than significant by the adoption of the proposed Project. The Project as proposed identifies strategies, measures, and actions that could be implemented to reduce GHG emissions. With the adoption of the proposed Draft CAP Update and General Plan Update, no significant unavoidable GHG emissions impacts would occur as a result of buildout of the proposed Project. (Murrieta General Plan 2035 FEIR, Page 4-4-10 through Page 4-4-15)²

Proposed Project - No Substantial Change From Previous Analysis

Based on the foregoing background and discussion, there is no evidence that the Project would require a major change to the General Plan SEIR. The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exist within MMC which apply throughout the City and within hillside areas. With these updates it would not provide "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the generation of greenhouse gas emissions that may have a significant impact on the environment; or a conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions with compliance of the above referenced Greenhouse Gas Emissions Goals and Policies such as identifying and evaluate strategies, measures, and actions to reduce community GHG emissions and reviewing/updating the baseline information as described above. Individual development projects would still be subject to subsequent project and environmental review under CEQA with site-specific analysis and review for consistency with the Climate Action Plan Checklist and GHG Mitigation Measures would be carried forward as applicable.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND. The project would not result in any new significant impacts which were disclosed and analyzed by the General Plan SEIR (Greenhouse Gas Emissions) would result and no new or increased impacts are forecasted to result, nor would a substantial increase in the severity of impacts with implementation of the GHG Mitigation Measures 1 through 1.8 on a project-level basis.

VIII. HAZARDS AND HAZARDOUS MATERIALS -- Since the previous ND was adopted, and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; (b) the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; (c) hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school; (d) being located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; (e) the creation of a safety hazard for people residing or working in the project area due to the project being located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport; (f) a safety hazard for people residing or working in the project area due to the project's vicinity to a private airstrip; (g) impairment of the implementation of or the physical interference with an adopted emergency response plan or emergency evacuation plan; or (h) exposure of

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

people or structures to a significant risk of loss, injury, or death involving wildland fires, including, where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 FEIR, and Proposed Project

Negative Declaration

Impacts from Hazards were determined have a “Less Than Significant Impact” in terms of creating a risk of accidental explosion or release of hazardous substances (including, but not limited to: oil, pesticides, chemicals or radiation); creating possible interference with an emergency response plan or emergency evacuation plan; the creation of any health hazard or potential health hazard; exposure of people to existing sources of potential health hazards; increased fire hazard in areas with flammable brush, grass, or trees.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with site-specific analysis. As noted within the ND, sites would also be required to be reviewed for conformance with the General Plan:

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

It should be noted that individual development projects may have the potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or may create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. This will be addressed through a site-specific analysis and incorporated into an SWPPP. Furthermore, compliance with all Federal, State, and local regulations governing the storage and use of hazardous materials is required and will ensure that future development projects operates in a manner that poses no substantial hazards to the public or the environment. Individual development projects will be reviewed against the California State Water Board’s GeoTracker website (consistent with Government Code Section 65962.5). Individual development projects will be benchmarked against the French Valley Airport Compatibility Plan, emergency response plans, evacuation plans, fuel modification plans, and fire severity overlay maps and plans.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

General Plan FEIR (2011)

Impacts from Hazards and Hazardous Materials were assessed under the General Plan FEIR under “Hazards and Hazardous Materials” The impacts were determined to remain below a level of significance with the implementation of the following mitigation measures:

..FUTURE DEVELOPMENT IN ACCORDANCE WITH THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN AN INCREASED RISK OF UPSET ASSOCIATED WITH THE ROUTINE USE, GENERATION, TRANSPORT, OR DISPOSAL OF HAZARDOUS MATERIALS, WHICH MAY POTENTIALLY POSE A HEALTH OR SAFETY HAZARD.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

HHM-1 The Community Development Department, in cooperation with the Murrieta Fire Department and the Riverside County Community Health Agency, Materials Management Division, shall provide information to businesses on viable alternatives to hazardous materials. Create an informational pamphlet with existing hazardous material substitutions and retailers that sell the materials. Offer the information to applicable business owners who are required to file as a hazardous waste handler in the City.

HHM-2 The Community Development Department, in cooperation with the Murrieta Fire Department and the Riverside County Community Health Agency, Materials Management Division, provide information on viable alternatives to household hazardous materials on the City's website so households may use alternatives. Information will also educate the public to the health, safety, and environmental benefits of using non-hazardous substitutions.

Level of Significance After Mitigation: Less Than Significant Impact.

..ACCIDENTAL RELEASE OF HAZARDOUS MATERIALS USED, STORED, OR TRANSPORTED IN THE CITY AS A RESULT OF IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN A PUBLIC HEALTH RISK.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

SAFETY ELEMENT

Goal SAF-1 People and properties are provided with protection from natural and man-made hazards. Policies

SAF-1.2 Coordinate public safety responses and planning for hazards with agencies at the County, regional, state, and federal levels.

SAF-1.3 Collect and maintain current information on local hazards, and make it available for public use.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

SAF-1.5 Promote coordination among City departments to provide for safety in new development and/or annexation areas.

Goal SAF-8 A community that is protected from the harmful effects of hazardous materials, hazardous waste, and environmental contamination.

Policies

SAF-8.1 Require geologic investigations for sites of proposed uses that manufacture, handle, or store hazardous or explosive materials.

SAF-8.2 Ensure that land uses involved in the production, storage, transportation, handling, or disposal of hazardous materials are located and operated to reduce risk to other land uses.

SAF-8.3 Designate appropriate routes for transportation of hazardous materials that are used or produced by facilities in the City.

SAF-8.4 Require that new pipelines and other channels carrying hazardous materials avoid residential areas and other sensitive land uses to the greatest extent possible.

SAF-8.5 Raise public awareness of appropriate disposal for household hazardous waste, and publicize collection events and locations.

SAF-8.6 Promote the use of integrated pest management techniques to keep City properties free of herbicides and pesticides.

SAF-8.7 Encourage and educate residents and businesses to implement integrated pest management principles and reduce or discontinue the use of pesticides and herbicides on their property.

SAF-8.8 Comply with the Riverside County Hazardous Waste Management Plan.

SAF-8.9 Support Caltrans and California Highway Patrol efforts to ensure safe transportation of hazardous materials on freeways.

SAF-8.10 Ensure that all personnel of the Murrieta Fire Department are trained and ready to operate at the level of Hazardous Materials First Responder.

SAF-8.11 Coordinate with other agencies to improve the containment and clean up of hazardous material spills.

SAF-8.12 Ensure that Fire Department personnel receiving training to achieve the Hazardous Materials Technician level.

SAF-8.13 When approving new development, ensure that the site:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

- ☐ *Is sufficiently surveyed for contamination and remediation, particularly for sensitive uses near existing or former toxic or industrial sites.*
- ☐ *Is adequately remediated to meet all applicable laws and regulations, if necessary.*
- ☐ *Is suitable for human habitation.*
- ☐ *Is protected from known hazardous and toxic materials.*
- ☐ *Does not pose higher than average health risks from exposure to hazardous materials.*

SAF-8.14 Strive to identify unidentified contaminated sites in the City, particularly on sites with a high likelihood of past contamination, such as old gas stations or industrial sites, and work with the property owners and applicable agencies to remediate them.

Mitigation Measures:

Refer to Mitigation Measures HHM-1 and HHM-2. In addition, the following mitigation is recommended.

HHM-3 Prior to development approval on a project-by-project basis, the project applicant shall confirm the presence or absence of hazardous materials pertaining to the release of hazardous materials into the soil, surface water, and/or groundwater. If necessary, development shall undergo site characterization and remediation on a project-by-project basis, per applicable Federal, State, and/or local standards and guidelines set by the applicable regulatory agency.

Level of Significance After Mitigation: Less Than Significant Impact.

..FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD IMPACT HAZARDOUS MATERIAL SITES LISTED ON GOVERNMENT CODE SECTION 65962.5 AND CREATE A SIGNIFICANT HAZARD TO THE PUBLIC OR THE ENVIRONMENT.

Level of Significance Before Mitigation: Potentially Significant Impact.

Mitigation Measures: Refer to Mitigation Measures HHM-1 through HHM-3. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

NEW STRUCTURES BUILT WITHIN THE VICINITY OF THE LOCAL AIRPORT OR PRIVATE AIRSTRIP COULD RESULT IN A SAFETY HAZARD FOR PEOPLE RESIDING OR WORKING WITHIN THE AREA.

Level of Significance Before Mitigation: Potentially Significant Impact.

Mitigation Measures:

HHM-4 The project applicant shall comply with the requirements of the Federal Aviation Administration (FAA) should any portions of the development be within a height overlay review zone or encroach within an imaginary surface surrounding the French Valley Airport. A Notice of Proposed Construction or Alteration (Form 7460-1) may be required by the FAA in accordance with Federal Aviation Regulations Part 77.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Level of Significance After Mitigation: Less Than Significant Impact.

FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE GENERAL PLAN 2035 COULD RESULT IN INTERFERENCE WITH AN ADOPTED EMERGENCY RESPONSE OR EVACUATION PLAN.

Level of Significance Before Mitigation: No Impact.

Level of Significance After Mitigation: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO PUBLIC HEALTH AND SAFETY.

Level of Significance Before Mitigation: Potentially Significant Impact.

Mitigation Measures: Refer to Mitigation Measures HHM-1 through HHM-4. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact. (Murrieta General Plan 2035 FEIR, Page 5.14-15 through Page 5.14-25)²

Proposed Project - No Substantial Change From Previous Analysis

Based on the foregoing background and discussion, there is no evidence that the Project would require a major change to the ND or General Plan EIR. The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exist within MMC which apply throughout the City and within hillside areas.

Based on the scope of the code amendments, it would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; create a safety hazard for people residing or working in the project area due to the project being located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport; create a safety hazard for people residing or working in the project area due to the project's vicinity to a private airstrip; create an impairment of the implementation of or the physical interference with an adopted emergency response plan or emergency evacuation plan; or expose of people or structures to a significant risk of loss, injury, or death involving wildland fires, including, where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Individual development projects would still be subject to project and environmental review under CEQA with site-specific analysis and review for consistency with the Geotracker database for identification of potential issues as described above. Individual projects would be reviewed for consistency with the Safety Element Goals and Policies for protection of the public from

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

natural and man-made hazards. Mitigation measures would be carried forward as applicable as described above and/or further customized based on the existing site's characteristics.

Provided this background, there is no evidence that the Project would require a major change to the ND. The project would not result in any new significant impacts which were disclosed and analyzed by the ND (Hazards) and General Plan EIR (Hazards and Hazardous Materials) would result and no new or increased impacts are forecasted to result, nor would a substantial increase in the severity of impacts with implementation of the General Plan's Goals SAF-1 and SAF-8; Policies SAF-1.2, SAF-1.3, SAF-1.5; Policies SAF-8.1 through SAF-8.14; and Mitigation Measures HHM-1 through HHM-4 on a project-level basis.

IX. HYDROLOGY AND WATER QUALITY -- Since the previous ND was adopted, and certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) the violation of any water quality standards or waste discharge requirements; (b) substantially deplete groundwater supplies or interfere with groundwater recharge; (c) alteration of the existing drainage pattern of the site resulting in erosion or siltation; (d) alteration of the existing drainage pattern of the site or increase the rate or amount of surface runoff in a manner that would result in flooding; (e) creation or contribution of runoff water that would exceed the capacity of storm drain systems; (f) degradation of water quality; (g) placement of housing within, or impeding or redirecting flood flows, or expose people or structures to flooding; or (h) inundation by seiche tsunami or mudflow?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 FEIR, and Proposed Project

Negative Declaration

Impacts from Hydrology and Water Quality were determined have a "Less Than Significant Impact" in terms of changes in absorption rates, drainage patterns, or the rate and amount of surface runoff; exposure of people or property to water related hazards such as flooding and inundation and "No impact" for discharge into surface waters, or in other alteration of surface water quality, (e.g. , temperature, dissolved oxygen or turbidity); changes in the amount of surface water in any water body; changes in currents, or the course or direction of water movements; change in the quantity of ground waters, either through direct additions or withdrawals, or through interception of an aquifer by cuts or excavations; altered direction or rate of flow of ground waters; and impacts to ground water quality.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with a site-specific analysis. As noted within the ND:

..The document includes provisions to be consistent with National Pollution Discharge Elimination System (NPDES) regulations as well as including adherence with grading and building code requirements to minimize impacts to related to water hazards, drainage, ground water and surface waters.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 FEIR (2011)

Impacts with Hydrology and Water Quality were assessed under the General Plan FEIR under “Hydrology, Drainage and Water Quality” The impacts were determined to remain below a level of significance with the implementation of the following mitigation measures:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD VIOLATE WATER QUALITY STANDARDS AND WASTE DISCHARGE REQUIREMENTS.

Level of Significance Before Mitigation: Potentially Significant Impact.

INFRASTRUCTURE ELEMENT

Goal INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.

Policies

INF-1.1 Encourage future development to occur in areas where infrastructure for water, sewer, and storm water can most efficiently be provided.

INF-1.2 Discourage development in areas without connections to existing infrastructure, unless infrastructure is being provided.

INF-1.4 Ensure that new development and redevelopment provides infrastructure for water, sewer, and storm water that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers.

INF-1.6 Provide information to water districts, Riverside County Flood Control and Water Conservation District (RCFCWCD), and energy utilities in their planning efforts to ensure adequate infrastructure is available for anticipated development.

INF-1.7 Encourage the preparation and updates of master plans by the appropriate providers or agencies to conduct detailed long-range planning to ensure the efficient provision of public services, infrastructure, and/or utilities.

INF-1.8 Consult with water districts and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that fee structures are sufficient for new development and redevelopment to pay its fair share of the cost of infrastructure improvements for water, sewer, and storm water.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

INF-1.9 Encourage the water districts to proactively manage their assets through the maintenance, improvement, and replacement of aging water and wastewater systems to ensure the provision of these services to all areas of the community.

INF-1.10 Encourage the water districts to improve water and wastewater services in a way that respects the natural environment.

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.

INF-1.12 When managed by the City, continue to maintain and replace aging storm drain systems to ensure the provision of these services to all areas of the community.

INF-1.13 Cooperate in regional programs to implement the National Pollutant Discharge Elimination System program.

INF-1.14 Continue to participate with other agencies on public education and outreach materials for countywide distribution to focus on public education and business activities with the potential to pollute. Distribute Best Management Practices (BMP) guidance for business activities, including but not limited to, mobile detailing, pool maintenance, restaurant cleaning operations, and automotive service centers.

INF-1.15 Continue to implement the City's residential informational and outreach program by providing homeowners with Best Management Practices (BMP) for activities such as, but not limited to:

- ☐ *Disposal of fats, oils, and grease*
- ☐ *Disposal of garden waste*
- ☐ *Disposal of household hazardous waste*
- ☐ *Disposal of pet waste*
- ☐ *Garden care and maintenance*
- ☐ *Vehicular repair and maintenance*
- ☐ *Vehicular washing*

INF-1.16 Continue to annually report the City's activities as part of its submittal to the San Diego Region Water Quality Control Board. Activities the City should report on include, but are not limited to:

- ☐ *Litter Control*
- ☐ *Solid Waste Collection/Recycling*
- ☐ *Drainage Facility Maintenance*
- ☐ *Catch Basin Stenciling*
- ☐ *Street Sweeping*

INF-1.18 Minimize the adverse effects of urbanization upon drainage and flood control facilities.

INF-1.19 Encourage the City and the Riverside County Flood Control and Water Conservation District improve the storm drain system in a way that respects the environment.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CONSERVATION ELEMENT

Goal CSV-3 A community that participates in a multi-jurisdictional approach to protecting, maintaining, and improving water quality and the overall health of the watershed.

Policies

CSV-3.1 Collaborate with partner agencies and other communities to conserve and properly manage surface waters within the City and Sphere of Influence through protection of the watershed and natural drainage system.

CSV-3.2 Promote storm water management techniques that minimize surface water runoff in public and private developments.

CSV-3.3 Utilize low-impact development (LID) techniques to manage storm water through conservation, on-site filtration, and water recycling, and continue to ensure compliance with the NPDES permit.

CSV-3.4 Encourage the creation of a network of “green” streets that minimize stormwater runoff, using techniques such as on-street bio-swales, bio-retention, permeable pavement or other innovative approaches, as feasible.

CSV-3.5 Seek opportunities to restore natural watershed function as an added benefit while mitigating environmental impacts.

Goal CSV-4 Restoration of the natural function and aesthetic value of creeks, while providing flood control measures and opportunities for recreation.

Policies

CSV-4.1 Prioritize creek preservation, restoration and/or mitigation banking along creeks as mitigation for environmental impacts.

CSV-4.2 Consider alternatives to hardlined bottoms and side slopes within flood control facilities, where technically feasible.

CSV-4.3 Preserve Warm Springs Creek and Cole Creek as a wildlife corridor, while accommodating flood control measures and passive recreation.

CSV-4.4 Retain and restore natural drainage courses and their function where health and safety are not jeopardized.

CSV-4.5 Support efforts for restoration, flood control, and recreation along Murrieta Creek, in coordination with regional and federal plans.

CSV-4.6 Seek funds and provide support for creek restoration, maintenance and protection through grant and mitigation programs, development entitlements, and non-profit organizations.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Mitigation Measures:

HYD-1 Prior to issuance of any Grading or Building Permit, and as part of the future development's compliance with the NPDES requirements, a Notice of Intent shall be prepared and submitted to the San Diego RWQCB providing notification and intent to comply with the State of California General Construction Permit. Also, a Stormwater Pollution Prevention Plan (SWPPP) shall be reviewed and approved by the Director of Public Works and the City Engineer for water quality construction activities on-site. A copy of the SWPPP shall be available and implemented at the construction site at all times. The SWPPP shall outline the source control and/or treatment control BMPs to avoid or mitigate runoff pollutants at the construction site to the "maximum extent practicable." All recommendations in the Plan shall be implemented during area preparation, grading, and construction. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential stormwater runoff impacts.

HYD-2 Prior to issuance of any Grading Permit, future development projects shall prepare, to the satisfaction of the Director of Public Works and the City Engineer, a Water Quality Management Plan or Stormwater Mitigation Plan, which includes Best Management Practices (BMPs), in accordance with the Riverside County DAMP and the Murrieta WQMP. All recommendations in the Plan shall be implemented during post construction/operation phase. The project applicant shall comply with each of the recommendations detailed in the Study, and other such measure(s) as the City deems necessary to mitigate potential water quality impacts.

Level of Significance After Mitigation: Less Than Significant Impact.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD DEplete GROUNDWATER SUPPLIES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CREATE OR CONTRIBUTE TO RUNOFF WATER WHICH COULD EXCEED THE CAPACITY OF EXISTING OR PLANNED STORM WATER DRAINAGE SYSTEMS FOR PROVIDE SUBSTANTIAL ADDITIONAL SOURCES OF POLLUTED RUNOFF.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures HYD-1 and HYD-2. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN ALTERATION OF DRAINAGE PATTERNS OF THE SITE OR AREA, INCLUDING ALTERATION OF A STREAM OR RIVER, RESULTING IN SUBSTANTIAL EROSION, FLOODING, OR SIGNIFICANT RISK OF LOSS.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS RELATED TO A 100-YEAR FLOOD EVENT.

Level of Significance Before Mitigation: Less Than Significant Impact.

SAFETY ELEMENT

Goal SAF-3 Damage from flood and inundation hazards is minimized by improving flood control systems and providing adequate safety protections in areas of the City subject to inundation.

Policies

SAF-3.1 Cooperate with the Riverside County Flood Control and Water Conservation District to evaluate the effectiveness of existing flood control systems and improve these systems as necessary to meet capacity demands.

SAF-3.2 Actively participate in and strongly promote timely completion of regional drainage plans and improvement projects which affect the City.

SAF-3.3 Identify natural drainage courses and designate drainage easements to allow for their preservation, or for the construction of drainage facilities if needed to protect the health, safety, and welfare of the community.

SAF-3.4 Require new construction within the 100-year floodplain to meet National Flood Insurance Program standards.

SAF-3.5 Develop and maintain floodplain inundation evacuation plans in cooperation with the Riverside County Flood Control and Water Conservation District and the Murrieta Fire Department.

SAF-3.6 Maintain an active swift water rescue response in the Murrieta Fire Department.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..FUTURE DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN URBAN USES BEING LOCATED IN DAM INUNDATION AREAS OF THE CITY.

Level of Significance Before Mitigation: Less Than Significant Impact.

Mitigation Measures: Level of Significance After Mitigation: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

SAFETY ELEMENT

Goal SAF-4 Land use regulations and emergency response plans reduce potential damage resulting from dam failure.

Policies

SAF-4.1 Maintain and update mapping of dam inundation areas within the City as new studies and projects are completed.

SAF-4.2 Develop dam failure evacuation plans in cooperation with the Riverside County Flood Control and Water Conservation District and the Murrieta Fire Department.

SAF-4.3 Discourage critical and essential uses as well as high-occupant-load building uses within designated dam inundation areas.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN PROJECT INUNDATION BY SEICHE, TSUNAMI, OR MUDFLOW.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: Level of Significance After Mitigation: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS RELATED TO HYDROLOGY, DRAINAGE, AND WATER QUALITY.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measure HYD-1 and HYD-2. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..Impacts related to hydrology, drainage, and water quality associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with goals and policies in the proposed General Plan 2035 and the recommended mitigation measures. No significant unavoidable hydrology, drainage, and water quality impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.13-30 through Page 5.13-47)²

Proposed Project - No Substantial Change From Previous Analysis

With the scope of proposed changes under this code amendment, there are no changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the violation of any water quality standards or waste discharge requirements; substantially deplete groundwater supplies or interfere with groundwater recharge; alter the existing drainage pattern of the site resulting in erosion or siltation; alter the existing drainage pattern of the site or increase the rate or amount of surface runoff in a manner that would result in flooding; create or contribute runoff water that would exceed the capacity of storm drain systems; degrade water quality; place of housing within, or impeding or redirecting flood flows, or expose people or structures to flooding; or inundate by seiche tsunami or mudflow. The Project is located within the planning area of the San Diego Regional Water Quality Control Board (RWQCB). To address stormwater and accidental spills within this environment, any new individual development project must ensure that site development implements an SWPPP and a National Pollutant Discharge Elimination System (NPDES) to control potential sources of water pollution. To address stormwater and accidental spills within this environment, any new development project must ensure that site development implements an SWPPP and a National Pollutant Discharge Elimination System (NPDES) to control potential sources of water pollution that could violate any standards or discharge requirements during construction and a Water Quality Management Plan (WQMP) to ensure that project-related after development surface runoff meets discharge requirements over the short- and long-term. Individual development projects would also have demonstrate compliance with water groundwater supplies consistent with State legislation and review for 100-year flood hazard areas as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map; analyzing a site for the potential for failure of a levee or dam; and inundation by seiche, tsunami, or mudflow. Individual projects would be reviewed for consistency with the Infrastructure, Conservation, and Safety Elements Goals and Policies for hydrology and water quality. Mitigation measures would be carried forward as applicable as described above and/or further customized based on the existing site's characteristics.

Given this background, there is no evidence that the Project would require a major change to the ND and General Plan FEIR. The Project would not result in any new significant impacts which were disclosed and analyzed by the ND (Water) and General Plan EIR (Hydrology, Drainage and Water Quality) would result and no new or increased impacts are forecasted to result, nor would a substantial increase in the severity of impacts with implementation of the Hydrology, Drainage and Water Quality Goals, Policies, and Mitigation Measures on a project-level basis. This would be inclusive of Goals INF-1, CSV-3, CSV-4, SAF-3, SAF-4, and corresponding Policies INF-1.1, INF-1.2 INF-1.4 INF-1.6 through INF-1.16, INF-1.18, INF-1.19, CSV-3.1 through CSV-3.5, CSV-4.1 through CSV-4.6, SAF-3.1 through SAF-3.6, SAF-4.1 through SAF-4.3, and Mitigation Measures HYD-1 and HYD-2.

X. LAND USE AND PLANNING -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to land use and planning

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

including: (a) physically divide an established community; (b) conflict with general plan or zoning for the site, or
(c) conflict with applicable environmental plans or policies adopted by agencies with jurisdictions over the site?

YES
☐

NO
☒

Comprehensive Development Code Negative Declaration, General Plan 2035 SEIR, and Proposed Project

Negative Declaration

Impacts to “Land Use and Planning” were determined have a “Less Than Significant Impact” with conflicting with general plan designation or zoning; conflicting with applicable environmental plans or policies adopted by agencies with jurisdictions over the project; affecting agricultural resources or operations; disrupting or divide the physical arrangement of an established community (including a low-income or minority community); and being compatible with existing land use in the vicinity.

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with a site-specific analysis. As noted within the ND:

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations. The Development Code defines the administrative processes necessary for development within the City.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 SEIR (2020)

Impacts to Land Use and Planning were assessed under the General Plan SEIR under “Land Use” The impacts were determined to remain below a level of significance with the implementation of the following mitigation measures:

IMPLEMENTATION OF THE PROPOSED PROJECT COULD DISRUPT OR PHYSICALLY DIVIDE AN ESTABLISHED COMMUNITY.

Level of Significance Before Mitigation: Less Than Significant Impact

..Mitigation Measures: No mitigation measures beyond the goals and policies in the proposed Project are required.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD CAUSE A SIGNIFICANT ENVIRONMENTAL IMPACT DUE TO A CONFLICT WITH ANY LAND USE PLAN, POLICY, OR REGULATION ADOPTED FOR THE PURPOSE OF AVOIDING OR MITIGATING AN ENVIRONMENTAL EFFECT?

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies in the proposed Project are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE LAND USE IMPACTS.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies in the proposed Project are required.

Level of Significance After Mitigation: Not Applicable.

..Land Use impacts associated with implementation of the proposed Project would be less than significant by adherence to and/or compliance with goals and policies in the proposed Project. No significant unavoidable land use impacts would occur as a result of buildout of the proposed Project. (Murrieta General Plan 2035 SEIR, Page 4.1-2 through Page 4.1-5)³

Proposed Project - No Substantial Change From Previous Analysis

The code updates modify and clarify existing planning and engineering standards to support future development throughout the City does not propose changes to existing land uses, zoning, or density. Individual development projects would be reviewed for consistency with both the MDC and General Plan Land Use Element and for compliance with CEQA. With these proposed updates, it would not physically divide an established community; conflict with general plan or zoning for the site, or conflict with applicable environmental plans or policies adopted by agencies with jurisdictions over the site.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or the General Plan SEIR. Projects would be reviewed for compliance the applicable General Plan Goals and Policies as applicable. The project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Land Use and Planning) and General Plan SEIR (Land Use), nor would a substantial increase in the severity of impacts from that described would result.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

MINERAL RESOURCES - Since the previous ND was adopted, and when certification of the FEIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause one or more effects to mineral resources including a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?; b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan?

Comprehensive Development Code Negative Declaration, General Plan 2035 FEIR, and Proposed Project

Negative Declaration

Impacts to "Mineral Resources" were reviewed under "Energy & Mineral Resources" and were determined have a "Less Than Significant Impact" in terms of conflicting with adopted energy conservation plans and use non-renewable resources in a wasteful and inefficient manner.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject project and environmental review under CEQA with a site-specific analysis. Additionally, individual development projects will be benchmarked against for the Murrieta General Plan Exhibit 8-1 – Mineral Resources of the General Plan 2035 which identifies locations throughout the City where mineral resources have been found. As noted within the ND:

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. As to mineral resources, the Development Code has included standards related to surface mining and the reclamation of sites in addition to permitting zones where mining operations will be allowed subject to appropriate permits.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 FEIR (2011)

Impacts to Land Use were assessed under the General Plan FEIR under "Mineral Resources" The impacts were determined to remain below a level of significance with the implementation of compliance with the goals and policies of the General Plan 2035:

IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS TO MINERAL RESOURCES NOT YET IDENTIFIED.

Level of Significance Before Mitigation: Less Than Significant Impact.

CONSERVATION ELEMENT

Goal CSV-6 Mineral resources are managed responsibly with minimal impact to surrounding areas.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Policies

CSV-6.1 Ensure compliance with City regulations that seek to prevent or minimize potentially adverse effects of mining, and provide for reclamation of mined lands.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS TO MINERAL RESOURCE RECOVERY SITES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO UNKNOWN MINERAL RESOURCES.

Level of Significance Before Mitigation: Less Than Significant Impact.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..Mineral resources impacts associated with implementation of the proposed General Plan 2035 would be less than significant with compliance with and/or adherence to State and local regulations, and goal and policies in the proposed General Plan 2035. Therefore, no significant unavoidable mineral resources impacts would occur as a result of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.12-7 through Page 5.12-9)²

Proposed Project - No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject project and environmental review under CEQA with a site-specific studies. Additionally, individual development projects will be benchmarked against for the Murrieta General Plan 2035 Goals and Polices with respect to the location of Mineral Resources. With this background and review for compliance, it would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state or result in the loss of availability

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or the General Plan EIR. Projects would be reviewed for compliance the applicable General Plan Goals and Policies as applicable. The project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Mineral Resources) and General Plan FEIR (Mineral Resources), nor would a substantial increase in the severity of impacts from that described would result with implementation of the Mineral Resources Goal CSV-6, Policy CSV-6.1, and potential Mitigation Measures on a project-level basis.

XI. NOISE -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with (a) the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; (b) the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels; (c) a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; (d) a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; (or e) being located within an airport land use plan or within two miles of a public airport or public use airport, or within the vicinity of a private air strip, and expose people residing or working in the project area to excessive noise levels?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan EIR, and Proposed Project

Negative Declaration

Impacts from "Noise" were determined have a "Less Than Significant Impact" in terms of increases in existing noise levels; and exposure of people to severe noise levels.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with a site-specific acoustical analysis and/or benchmarked against MDC 16.30 (Noise) for conformance. As noted within the ND:

..The Development Code is an implementing document of the General Plan which will govern zoning and subdivision regulations citywide. It serves to expand the districts established in the General Plan and propose allowable uses within each zoning district. The document includes, but is not limited to site planning and general development standards for landscaping, noise, parking, signs, and tree preservation.

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality,

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations. The Development Code defines the administrative processes necessary for development within the City.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 FEIR (2011)

Impacts to Land Use were assessed under the General Plan EIR under “Noise” The impacts were determined to remain below a level of significance with the implementation of compliance with the goals and policies of the General Plan 2035:

..CONSTRUCTION-RELATED ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD GENERATE NOISE LEVELS IN EXCESS OF ESTABLISHED STANDARDS.

Level of Significance Before Mitigation: Less Than Significant Impact.

NOISE ELEMENT

Goal N-4 Reduced noise levels from construction activities.

Policies

N-4.1 Regulate construction activities to ensure construction noise complies with the City’s Noise Ordinance.

N-4.2 Limit the hours of construction activity in residential areas to reduce intrusive noise in early morning and evening hours and on Sundays and holidays.

N-4.3 Employ construction noise reduction methods to the maximum extent feasible. These measures may include, but not limited to, shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and use of electric air compressors and similar power tools, rather than diesel equipment.

N-4.4 Encourage municipal vehicles and noise-generating mechanical equipment purchased or used by the City to comply with noise standards specified in the City’s Municipal Code, or other applicable codes.

N-4.5 Allow exceedance of noise standards on a case-by-case basis for special circumstances including emergency situations, special events, and expedited development projects.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

N-4.6 Ensure acceptable noise levels are maintained near schools, hospitals, convalescent homes, churches, and other noise-sensitive areas.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 and adherence to the City's Noise Ordinance are required.

Level of Significance After Mitigation: Not Applicable.

..CONSTRUCTION-RELATED ACTIVITIES ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD GENERATE OR EXPOSE PERSONS OR STRUCTURES TO EXCESSIVE GROUND BORNE VIBRATION.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

NOISE ELEMENT

Goal N-4 Reduced noise levels from construction activities.

Policies

N-4.2 Limit the hours of construction activity in residential areas to reduce intrusive noise in early morning and evening hours and on Sundays and holidays.

N-4.3 Employ construction noise reduction methods to the maximum extent feasible. These measures may include, but not limited to, shutting off idling equipment, installing temporary acoustic barriers around stationary construction noise sources, maximizing the distance between construction equipment staging areas and occupied sensitive receptor areas, and use of electric air compressors and similar power tools, rather than diesel equipment.

Mitigation Measures:

NOI-1 The City shall require future developments to implement the following measures to reduce the potential for human annoyance and architectural/structural damage resulting from elevated groundborne noise and vibration levels.

- Pile driving within a 50-foot radius of historic structures shall utilize alternative installation methods where possible (e.g., pile cushioning, jetting, predrilling, cast-in-place systems, resonance-free vibratory pile drivers).*
- The preexisting condition of all designated historic buildings within a 50-foot radius of proposed construction activities shall be evaluated during a preconstruction survey. The preconstruction survey shall determine conditions that exist before construction begins for use in evaluating damage caused by construction activities. Fixtures and finishes within a 50-foot radius of construction activities susceptible to damage shall be documented (photographically and in writing) prior to construction. All damage shall be repaired back to its preexisting condition.*

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

- *Vibration monitoring shall be conducted prior to and during pile driving operations occurring within 100 feet of the historic structures. Every attempt shall be made to limit construction-generated vibration levels in accordance with Caltrans recommendations during pile driving and impact activities in the vicinity of the historic structures.*

Level of Significance After Mitigation: Less Than Significant Impact.

..FUTURE NOISE LEVELS ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD CONTRIBUTE TO AN EXCEEDANCE OF THE CITY'S NOISE STANDARDS RESULTING IN POTENTIAL NOISE IMPACTS TO SENSITIVE RECEPTORS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

NOI-2 Residential projects located within the 55 CNEL noise contour for the French Valley Airport shall be subject to review by the Riverside County Airport Land Use Commission and shall be required to ensure interior noise levels from aircraft operations are at or below 45 dB CNEL.

Level of Significance After Mitigation: Less Than Significant Impact.

..CUMULATIVE SHORT-TERM CONSTRUCTION NOISE ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measure NOI-1. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..CUMULATIVE LONG-TERM OPERATIONAL NOISE ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measure NOI-2. No additional mitigation measures are available.

Level of Significance After Mitigation: Significant Unavoidable Impact (Murrieta General Plan 2035 FEIR, Page 5.7-28 through Page 5.7-48)²

Proposed Project - No Substantial Change From Previous Analysis

Based on the foregoing background and discussion, there is no evidence that the Project would require a major change to the ND or General Plan FEIR. The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exist within MMC which apply

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

throughout the City and within hillside areas. Individual development projects would still be subject to project and environmental review under CEQA with site-specific analysis and review for consistency with vibration, construction, operational, airport noise levels as described above. Mitigation measures would be carried forward as applicable as referenced under NOI-1 with Acoustical studies covering both potential noise and vibration levels providing additional measures. Provided this background, the proposed updates would not result in one or more substantial adverse physical impacts associated with the exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies; the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels; creating a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project; creating a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project; or being located within an airport land use plan or within two miles of a public airport or public use airport, or within the vicinity of a private air strip, and expose people residing or working in the project area to excessive noise levels.

As such, there is no evidence that the Project would require a major change to the ND and General Plan FEIR. The Project would not result in any new significant impacts which were disclosed and analyzed by the ND (Noise) and General Plan FEIR (Noise) would result and no new or increased impacts are forecasted to result, nor would a substantial increase in the severity of impacts with implementation of the Noise on a project-level basis with implementation of the Noise Goals N-4, corresponding Policies N-4.1 through N-4.6, and Mitigation Measure NOI-1 on a project-level basis.

XII. POPULATION AND HOUSING

Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to Population and Housing including: a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Comprehensive Development Code Negative Declaration, General Plan 2035 FEIR, and Proposed Project

Negative Declaration

Impacts to "Population and Housing" were determined have a "Less Than Significant Impact" in terms of cumulatively exceed official regional or local population projections or inducing substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)? Impacts to "Population and Housing" were determined have a "No Impact" in terms of the displacing existing housing, especially affordable housing.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. The Project is not proposing housing units or result in the increase in resident population, or displacing a

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

population. Individual development projects would still be subject to project and environmental review under CEQA with a site-specific studies. As per the ND:

..The Development Code will not cause population increases within the study area or induce substantial growth nor displace existing housing.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 FEIR (2011)

Impacts to Population and Housing were assessed under the General Plan EIR under “Population, Employment, and Housing” The impacts were determined to remain below a level of significance with the implementation of compliance with the goals and policies of the General Plan 2035:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD INDUCE POPULATION GROWTH IN THE CITY BY ALLOWING NEW HOMES AND BUSINESSES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..LAND USE ELEMENT

Goal LU-1 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.

Policies

LU-1.1 Identify appropriate locations for residential and non-residential development to accommodate growth through the year 2035 on the General Plan Land Use Policy Map (Exhibit 3-5).

LU-1.2 Ensure future development provides for a variety of commercial, industry, and housing that serve the spectrum of incomes within the region.

LU-1.3 Establish a range of residential density and non-residential intensities to encourage a wide range of development opportunities.

LU-1.4 Provide for the development of complementary land uses, such as open space, recreation, civic, and service uses for all future residential and non-residential development.

LU-1.5 Encourage a wide variety of retail and commercial services, such as restaurants, and cultural arts/entertainment, in appropriate locations.

LU-1.6 Promote future patterns of development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

LU-1.7 Ensure necessary capital improvements are in place prior to new development or completed concurrently.

LU-1.8 Ensure that fiscal impacts associated with growth and change are evaluated to ensure the City's ability to provide vital services is not compromised.

LU-1.9 Discourage lands designated for employment-generating uses to be converted to other uses without careful consideration of the overall economic strategy and the jobs-housing balance implications.

ECONOMIC DEVELOPMENT ELEMENT

Goal ED-2 A fiscally strong governance that meets the public service demands of residents and businesses.

Policies

ED-2.6 Review city-sponsored programs and services to ensure that residents and businesses are provided high quality services in a cost-effective manner.

ED-2.7 Create a program that allows long-range public facilities financing for projects that provide economic and other benefits to the City; link capital improvements with General Plan priorities as part of the annual CIP process.

ED-2.8 Include a financing plan for infrastructure and related capital improvements for large-scale development projects that are consistent and coordinated with the City master plans.

ED-2.9 Maintain an updated system of development impact and processing fees and charges.

Goal ED-5 An improved jobs/housing balance.

ED-5.1 Encourage flex-tech buildings within business corridors and higher intensity office uses along freeway corridors with adequate visibility, convenient access, and future transit-oriented opportunities.

ED-5.2 Encourage the concentration of compatible employment-generating uses, such as professional office, research and development, and health-related services.

ED-5.3 Encourage a mix of housing types by price and rental ranges that are commensurate with the range of wage and household types attracted by a diversified economic base.

ED-5.4 Encourage housing that is within economic reach of all income levels and family living styles inclusive of age-restricted housing, estate and ranch properties, single family detached, single-family attached, town homes, condominium flats, and apartments.

HOUSING ELEMENT

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Policy 1.1: Provide a range of residential development types in Murrieta, including low density single-family homes, moderate density townhomes, higher density multifamily units, and residential/commercial mixed use in order to address the City's share of regional housing needs.

Policy 1.6: Encourage lot consolidation in the Historic Murrieta Specific Plan area in order to more cohesively redevelop larger areas of the City.

Policy 5.1: Identify vacant and/or underutilized parcels, throughout the City, that can accommodate a variety of housing types for all socioeconomic segments of the community.

Policy 5.2: Support the construction of new affordable housing by rezoning vacant and underdeveloped parcels to allow for higher density development.

Policy 5.5: Require that housing constructed expressly for low- and moderate-income households not be concentrated in any single portion of the City.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 and Housing Element are required.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD DISPLACE EXISTING HOUSING OR PERSONS, NECESSITATING THE CONSTRUCTION OF REPLACEMENT HOUSING.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 and Housing Element are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD INDUCE POPULATION GROWTH IN THE WESTERN RIVERSIDE COUNCIL OF GOVERNMENT'S SCAG SUBREGION.

Level of Significance Before Mitigation: Less Than Significant.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 and Housing Element are required.

Level of Significance After Mitigation: Not Applicable.

..Population, employment, and housing impacts associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to and/or compliance with goals and policies in the proposed General Plan 2035 and Housing Element. No significant unavoidable population, employment, and housing impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.2-10 through Page 5.2-19)²

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Proposed Project - No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject project and environmental review under CEQA with a site-specific analysis. Additionally, individual development projects will be benchmarked against for the Murrieta General Plan 2035 Goals and Policies with respect to Population and Housing. Provided this background, these updates would not create a significant impact through inducing substantial population growth in an area, either directly or indirectly, or displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere, or displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or the General Plan EIR. Projects would be reviewed for compliance the applicable General Plan Goals and Policies as applicable. The project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Population and Housing) and General Plan EIR (Population, Employment, and Housing), nor would a substantial increase in the severity of impacts from that described would result with review for implementation of the Population and Housing Goals LU-1, ED-2, ED-5, corresponding Policies LU-1.1 through LU-1.9, ED-2.6 through ED-2.9, ED-5.1 through ED-5.4, and Housing Element Policies 1.1, 1.6, 5.1, 5.2 and 5.5.

XIII. PUBLIC SERVICES -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that result in one or more substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental of the following public services: (a) fire protection, (b) police protection, (c) schools, (d) parks, or (e) library facilities?

YES
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NO
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Comprehensive Development Code Negative Declaration, General Plan 2035 SEIR (Fire Protection), General Plan 2035 FEIR (Police Protection, Schools, Parks, and Library Facilities) and Proposed Project

Negative Declaration

Impacts to "Public Services" were determined have a "Less Than Significant Impact" in terms of having an effect upon or result in a need for new or altered governmental services in any of the following areas: fire protection, police protection, schools, parks or other recreational facilities, maintenance of public facilities, including roads, and other governmental services. Relatedly, impacts to "Recreation" were determined have a "Less Than Significant Impact" in terms of increasing the demand for neighborhood or regional parks or other recreational facilities, and affecting existing recreational opportunities.

As described within the ND:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..The Development Code will not cause the construction of structures or the outright initiation of uses. The document, however, has been drafted to include provisions for the collection of mitigation fees to offset impacts from development for public services and facilities, including park and recreation opportunities. The Development Code will not cause population increases within the study area or induce substantial growth nor displace existing housing.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act.

General Plan 2035 SEIR (2020)

Impacts to Fire Protection were assessed under the General Plan SEIR under “Wildfire.” These updates were brought forward in 2020 due to the State of California adopting Senate Bill 1241 which revised the Safety Element requirements for state responsibility areas and very high fire hazard severity zones. The following goals and policies were identified within this update:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN INCREASED DEMAND FOR WATER SUPPLIES AND INFRASTRUCTURE WITHIN THE CITY.

Level of Significance Before Mitigation: Less Than Significant Impact.

..CONSERVATION ELEMENT

Goal CSV-1 A community that conserves, protects, and manages water resources to meet long term community needs, including surface waters, groundwater, imported water supplies, storm water, and waste water.

Policies

CSV-1.1 Encourage the provision of a safe and sufficient water supply and distribution system.

CSV-1.2 Promote the maximization of water supplies through conservation, water recycling, and groundwater recharge.

CSV-1.3 Promote the protection of groundwater supplies from contamination.

CSV-1.4 Support water purveyors in promoting a City-wide recycled water system through project review and coordination with water districts.

CSV-1.5 Encourage the owners of hot springs to protect and enhance them.

CSV-1.6 Coordinate water resource management with water districts and regional, state, and federal agencies.

Goal CSV-2 Murrieta promotes compliance with requirements from the State and appropriate agencies regarding comprehensive water conservation measures in buildings and landscaping.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Policies

CSV-2.1 Ensure that all developments comply with water efficiency requirements, as mandated by the applicable Building Code.

CSV-2.2 Work with water districts to encourage and incentivize the retrofitting of building systems, both indoor and outdoor, with water-conserving fixtures and appliances.

CSV-2.3 Continue to utilize the programs and assistance of regional and state water agencies to increase water conservation throughout the City and Sphere of Influence.

CSV-2.4 Promote water efficient landscaping practices through outreach efforts, project review, and enforcement of City, regional, or State code requirements.

CSV-2.5 Consider streamlining municipal regulations pertaining to landscaping so that applicability and requirements are easily understood.

Goal CSV-9 A community that promotes the growth of an urban forest and water-efficient landscaping, recognizing that plants provide natural services such as habitat, storm water management, soil retention, air filtration, and cooling, and also have aesthetic and economic value.

Policies

CSV-9.1 Identify and protect native trees, trees of historic or cultural significance, and mature trees, consistent with the Tree Preservation Ordinance.

CSV-9.2 Consider the establishment of street tree standards and a program for street tree planting, maintenance, and replacement.

CSV-9.3 Promote the use of street trees as a buffer between pedestrians and motorized traffic.

CSV-9.4 Encourage the planting of street trees in linear planting beds rather than tree wells in order to support long-living healthy trees.

CSV-9.5 Encourage the planting of trees in private yards and properties.

CSV-9.6 Maintain a guide to preferred trees, shrubs, and ground cover plants of noninvasive species, or refer private parties to an existing guide that meets City needs to assist private landscaping efforts.

CSV-9.8 Encourage any new landscaped areas requiring permits to respect and incorporate the distinctive elements of the existing community landscape, including the retention of existing trees, to the maximum extent feasible.

CSV-9.9 Promote the use of native plant species in public landscaping of parks, schools, medians and planter strips, as well as in private development throughout the City

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Goal CSV-15 A community taking a leadership role in resource conservation and reduction of greenhouse gas emissions by implementing programs to improve municipal operations.

Policies

CSV-15.5 Encourage of the use recycled water where appropriate and feasible in City parks and landscaped areas, and demonstrate preferred techniques for water-efficient landscaping, including the use of native plants.

CSV-15.6 Demonstrate cutting-edge green building techniques when constructing and retrofitting municipal buildings.

INFRASTRUCTURE ELEMENT

Goal INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.

Policies

INF-1.1 Encourage future development to occur in areas where infrastructure for water, sewer, and storm water can most efficiently be provided.

INF-1.2 Discourage development in areas without connections to existing infrastructure, unless infrastructure is being provided.

INF-1.3 Encourage the annexation of unserved areas into water district service areas.

INF-1.4 Ensure that new development and redevelopment provides infrastructure for water, sewer, and storm water that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers.

INF-1.5 Continue to require new development and redevelopment to provide verification that energy utilities are able to accommodate the additional demand for service.

INF-1.6 Provide information to water districts, Riverside County Flood Control and Water Conservation District (RCFCWCD), and energy utilities in their planning efforts to ensure adequate infrastructure is available for anticipated development.

INF-1.7 Encourage the preparation and updates of master plans by the appropriate providers or agencies to conduct detailed long-range planning to ensure the efficient provision of public services, infrastructure, and/or utilities.

INF-1.8 Consult with water districts and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that fee structures are sufficient for new development and redevelopment to pay its fair share of the cost of infrastructure improvements for water, sewer, and storm water.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

INF-1.9 Encourage the water districts to proactively manage their assets through the maintenance, improvement, and replacement of aging water and wastewater systems to ensure the provision of these services to all areas of the community.

INF-1.10 Encourage the water districts to improve water and wastewater services in a way that respects the natural environment.

NF-1.21 Encourage the use of specific plans, development agreements, or mechanisms that specify the nature, timing, cost, and financing mechanisms to be used to fund water, wastewater, and/or storm drainage improvements and services.

INF-1.22 Work with property owners to establish a financing mechanism, such as financing districts, to provide infrastructure and maintenance in major employment locations and corridors, such as the North Murrieta Business Corridor, South Murrieta Business Corridor, and at the confluence of the I-15 and I-215 Freeways.

INF-1.23 Utilize, where appropriate, public financing mechanisms, such as special assessment or community facilities districts to fund water improvement and service costs.

INF-1.24 Consider the use of redevelopment financing, where appropriate, to provide infrastructure in areas where the City wishes to stimulate development.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO WATER RESOURCES INCLUDING INCREASED DEMAND FOR WATER SUPPLIES AND INFRASTRUCTURE.

Level of Significance Before Mitigation: Less Than Significant Impact

..Mitigation Measures: Refer to the goals and policies referenced above in this Section 5.15. No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable

General Plan 2035 FEIR (2011)

In general, impacts to Police Protection, Schools, Parks, and Library Facilities were determined to be less than significant or less than significant with mitigation incorporated. Additionally, it was noted that compliance with the General Plan 2035 Goals and Policies was desired. The following describes these different issue areas

Police

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..BUILDOUT OF THE CITY IN ACCORDANCE WITH THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN THE NEED FOR ADDITIONAL POLICE FACILITIES OR PERSONNEL.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

SAFETY ELEMENT

Goal SAF-9 High-quality and timely police services are provided to all residents and businesses in Murrieta.

Policies

SAF-9.1 Seek to reach and maintain police officer and civilian support employee staffing levels to effectively and efficiently address the public safety needs, measured through established response times (as shown in General Plan Table 12-3, Target Response Times), crime statistics, crime clearance rates, and community quality of life issues.

SAF-9.2 Endeavor to respond within six minutes for all Priority 1 calls, 15 minutes for Priority 2 calls, and 35 minutes for Priority 3 calls.

SAF-9.3 Consider options for locating field stations throughout the City to improve response times for Priority 1 calls and foster relationships with local residents.

SAF-9.4 Maintain and implement a Police Department Strategic Plan to address staffing and facility needs, service goals, deployment strategies, and other department goals.

SAF-9.5 Explore options for funding needed facilities, staff, and equipment.

SAF-9.6 Ensure that new development can be served by police communication systems and provide for the construction of radio towers (repeater sites) in outlying areas.

SAF-9.7 Evaluate the feasibility of adding cellular services for police communication to accommodate Mobile Data Browsers (MBD) technology.

SAF-9.8 Maintain a S.W.A.T. team that can respond to barricades and other tactical response needs.

Goal SAF-10 The Police Department coordinates with neighborhoods and community members to enhance safety and continually improve services.

Policies

SAF-10.1 Collaborate with school districts, businesses, nonprofit organizations, and community members, including neighborhood watch groups, to maintain safety throughout the City.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

SAF-10.2 Provide educational programs that deter unsafe and criminal behavior among youth, including the Youth Accountability Team, Youth Court, and School Resource Officers.

SAF-10.3 Maintain positive relationships with the community through communication and responsiveness to concerns.

SAF-10.4 Promote participation in the Crime Free Multi-Housing Program among existing multi-family communities.

Goal SAF-11 Design of the physical environment promotes community safety and reduces opportunities for criminal activity.

Policies

SAF-11.1 Involve the Police Department in the development review process to address safety concerns, access issues, and potential traffic conflicts, and identify opportunities to apply CPTED principles.

SAF-11.2 Continue to require new apartment communities to participate in the Crime Free Multi-Housing Program.

SAF-11.3 Coordinate efforts between the Police Department and Planning Department to develop guidelines for implementation of CPTED principles.

SAF-11.4 Continue to ensure that each development or neighborhood in the City has adequate emergency ingress and egress.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO POLICE PROTECTION PERSONNEL, SERVICES, AND FACILITIES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..Police protection impacts will be less than significant through adherence to and compliance with the goals and policies of the proposed General Plan 2035. No significant unavoidable police service impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.18-6 through Page 5.2-10)²

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Schools

..BUILDOUT OF THE CITY IN ACCORDANCE WITH THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN ADVERSE PHYSICAL IMPACTS TO FACILITIES WITHIN THE MURRIETA VALLEY UNIFIED SCHOOL DISTRICT, MENIFEE UNIFIED SCHOOL DISTRICT, PERRIS UNIFIED SCHOOL DISTRICT, AND HEMET UNIFIED SCHOOL.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures:

SCH-1 Prior to the issuance of certificate of occupancy, individual project applicants shall submit evidence to the City of Murrieta that legally required school impact mitigation fees have been paid per the mitigation established by the applicable school district.

Level of Significance After Mitigation: Less Than Significant Impact.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO SCHOOL FACILITIES.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measure SCH-1. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..With payment of school development fees (pursuant to SB 50) and compliance with recommended Mitigation Measure SCH-1, implementation of the proposed General Plan 2035 would result in less than significant impacts in regards to school services and facilities. No significant and unavoidable impacts related to school services and facilities would occur as a result of buildout of the proposed General Plan 2035.

Parks

See discussion/analysis below under **XIV. RECREATION**

Library Facilities

Library Facilities were not specifically addressed in the **Murrieta General Plan 2035 FEIR/SEIR**; however, these updates would be outside of the scope of affecting this public resource. This type of facility would be most closely associated with Public Facilities and Development Impact Fees would be required to be paid at time of a given development project to address any future capacity needs with respect to this issue area.

Proposed Project - No Substantial Change From Previous Analysis

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. The Project is not proposing housing units or resulting in the increase in resident population which would affect Fire Protection, Police Protection, Schools, Parks, and Library Facilities. Individual development projects would still be subject to project and environmental review under CEQA and collection of mitigation fees to offset the increased demand for both public services and recreational opportunities. For Fire Protection, individual development projects would be subject to General Plan 2035 Goals and Policies. This includes Goals CSV-1, CSV-2, CSV-9, CSV-15, and INF-1 and corresponding Policies CSV-1.1 through CSV-1.6, CSV-2.1 through CSV-2.5, CSV-9.1 through CSV-9.9, CSV-15.5 through CSV-15.6, INF-1.1 through INF-1.10, NF-1.21 through NF-1.24. For Police Protection, this would include: Goals SAF-9, SAF-10, SAF-11 and corresponding Policies SAF-9.1 through SAF-9.8, SAF-10.1 through SAF-10.4, SAF-11.1 through SAF-11.4. For Schools, this would require compliance and implementation Mitigation Measure SCH-1. For Parks, refer to the discussion under **XIV. RECREATION** and an to Goals ROS-1 through ROS-9, Goal CIR-8, and corresponding Policies ROS-1.1 through ROS-1.4, ROS-2.1 through ROS-2.3, ROS-3.1 through ROS-3.7, ROS-4.1 through ROS-4.4, ROS-5.1 through ROS-5.4, ROS-6.1 through ROS-6.5, ROS-7.1 through ROS-7.4, ROS-8.1 through ROS-8.4, ROS-9.1 through ROS-9.5, and CIR-8.11 through CIR-8.12. For Library Facilities, this would be most closely associated to “Public Facilities” based on population growth which the General Plan 2035 references under Policy LU-1.6 with *Promote future patterns of development and land use that reduce infrastructure construction costs and make better use of existing and planned public facilities*

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND. The project would not result in any new significant impacts which were disclosed and analyzed by the 1997 Draft Comprehensive Development Code Negative Declaration for this issue area (Public Services) or General Plan 2035 FEIR (Police, Schools, Parks, Public Facilities), nor would a substantial increase in the severity of impacts from that described in the ND or FEIR would result.

XIV. RECREATION

Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to Recreation including: a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Comprehensive Development Code Negative Declaration & Proposed Project

Impacts to “Recreation” were determined to have a “Less Than Significant Impact” in terms of increasing the demand for neighborhood or regional parks or other recreational facilities, and affecting existing recreational opportunities.

This Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. The Project is not proposing housing units or resulting in the increase in resident population which would affect recreational opportunities. Individual development projects would still be subject to project environmental

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

review under CEQA and the collection of mitigation fees would be required to offset the increased demand for recreational opportunities. As described within the ND:

..The Development Code will not cause the construction of structures or the outright initiation of uses. The document, however, has been drafted to include provisions for the collection of mitigation fees to offset impacts from development for public services and facilities, including park and recreation opportunities. The Development Code will not cause population increases within the study area or induce substantial growth nor displace existing housing.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan FEIR (2011)

Impacts to Population and Housing were assessed under the General Plan EIR under “Parks and Recreation Facilities”. The impacts were determined to remain below a level of significance with the implementation of compliance with the goals and policies of the General Plan 2035:

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN IMPACTS TO THE ADEQUATE AVAILABILITY OF PARKLAND, RECREATIONAL FACILITIES, AND TRAILS WITHIN THE CITY.

Level of Significance Before Mitigation: Potentially Significant Impact.

Goals and Policies in the Proposed General Plan 2035:

RECREATION AND OPEN SPACE ELEMENT

Goal ROS-1 Parkland is provided within a convenient distance from all residential areas, in a range of park types that meet different needs for active and passive recreation.

Policies

ROS-1.1 Maintain a minimum standard of 5 acres of local parkland per 1,000 population.

ROS-1.2 Create a strategy for providing sufficient parkland to accommodate needed recreation facilities through land acquisition, joint use, partnerships, and other means.

ROS-1.3 Provide City-Wide Parks, Community Parks, Neighborhood Parks, Neighborhood Play Areas, Special Use Parks, and Nature Parks in locations appropriate to their intended service areas, so that all residential areas are served by parks.

ROS-1.4 Involve the community in planning for parks.

Goal ROS-2 Facilities that support recreation needs, programs, and community events are located throughout the City.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Policies

ROS-2.1 Pursue the development of active recreation facilities through improvements to parks and existing facilities as well as the development of facilities in new parkland.

ROS-2.2 Provide community centers, gymnasiums, and courts for indoor recreation programs in convenient, accessible, and equitably distributed locations.

ROS-2.3 Ensure that recreation facilities provide access and accommodations for users with a range of physical abilities.

Goal ROS-3 City resources for parks and recreation facilities are leveraged through partnerships, joint use agreements, private facilities, outside funding, and community volunteers.

Policies

ROS-3.1 Maintain the joint use agreement with Murrieta Valley Unified School District and look for additional opportunities to partner with expanding resident access to shared facilities.

ROS-3.2 Continue to cooperate with school districts in locating schools to allow for park development adjacent to campuses.

ROS-3.3 Cooperate with federal, state, and county agencies to provide regional open space and recreation facilities for local residents.

ROS-3.4 Encourage the development of private and commercial recreation facilities.

ROS-3.5 Seek agreements and joint ventures with private entities to provide recreation facilities and activities.

ROS-3.6 Pursue support from federal, state, and private sources to assist with acquisition, design, and construction of parks and recreation facilities.

ROS-3.7 Promote a sense of community responsibility for maintaining and improving the parks and recreation system, and offer ways for individuals, groups, and businesses to invest time and resources in that effort.

Goal ROS-4 Recreation programs enrich the lives of residents across a broad spectrum of ages, interests, and abilities.

Policies

ROS-4.1 Seek resident involvement and feedback to create recreation programming that is relevant to a broad spectrum of community members.

ROS-4.2 Offer and encourage cultural arts programs and events that provide entertainment, such as concerts, as well as those that develop skills in dancing, drama, music, and the arts.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

ROS-4.3 Use recreation programming to promote physical activity, healthy eating, and other healthy lifestyle habits.

ROS-4.4 Collaborate with other providers to expand therapeutic recreation programs for residents with special needs.

Goal ROS-5 Recreation programs foster a sense of community and civic involvement, and promote interaction between residents.

Policies

ROS-5.1 Host special events that become community traditions, appealing to a range of ages.

ROS-5.2 Encourage events in the Town Square Park and Historic Downtown Murrieta.

ROS-5.3 Promote opportunities for multi-generational interaction such as youth mentoring by seniors and business people.

ROS-5.4 Create roles for volunteers to assist with recreation facilities and programs.

Goal ROS-6 Youth are a special focus of recreation facilities and programs.

Policies

ROS-6.1 Expand recreation programs for youth and teens, including before- and afterschool care, sports and fitness, outdoor activity and excursions, and arts education.

ROS-6.2 Use recreation programming to promote success in school.

ROS-6.3 Provide safe places for teens to socialize and participate in recreation activities.

ROS-6.4 Expand opportunities for youth to be involved in planning recreation programs, services, and events for youth.

ROS-6.5 Continue providing the Youth Advisory Committee for middle school and high school students.

Goal ROS-7 Open space areas are planned to protect, conserve, and utilize resources of unique character and value for the community.

Policies

ROS-7.1 Preserve and enhance open space resources in Murrieta.

ROS-7.2 Designate open space to preserve habitat and scenic views of natural areas.

ROS-7.3 Seek opportunities to designate open space along waterways, while also providing for the development of trails.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

ROS-7.4 When possible, link open space and parks for the movement of wildlife and people.

Goal ROS-8 New development is part of a coordinated system of open space, parkland, recreation facilities, and trails.

Policies

ROS-8.1 Encourage the provision of parks, recreation facilities, and/or open space in new development and redevelopment projects.

ROS-8.2 Ensure that new residential developments provide for recreation needs of residents through development fees and park dedication.

ROS-8.3 Encourage development that promotes outdoor activity.

ROS-8.4 When reviewing new development or redevelopment projects, refer to the Trails Plan to determine whether right-of-way is needed for trails on the project site.

Goal ROS-9 Public plazas or green spaces provide additional open space opportunities for existing and future residents and employees.

Policies

ROS-9.1 Continue to require that adequate, usable, and permanent private open space is provided in residential developments.

ROS-9.2 Encourage new and existing commercial, office, and industrial development to provide outdoor green spaces that may be used by employees.

ROS-9.3 Encourage new development and redevelopment projects to incorporate gardens and green spaces with various cultural influences throughout the community to bridge cultures and provide education opportunities.

ROS-9.4 Encourage green spaces planted with a diverse plant palette in order to promote natural variety, ecosystem services, and enhance the well-being of community residents.

ROS-9.5 Review and modify as necessary, open space requirements for different types of development projects.

CIRCULATION ELEMENT

Goal CIR-8 Development, expansion, and maintenance of a network of bicycle, pedestrian, and multi-use trails that allows residents to travel between parks, schools, neighborhoods, and other major destinations without driving.

Policies

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CIR-8.11 Coordinate the location of multi-use trails to connect with regional trail systems, where feasible.

CIR-8.12 Pursue funding or grant opportunities to plan, construct, and maintain pedestrian, bicycle, and multi-use trails.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are available.

Level of Significance After Mitigation: Significant Unavoidable Impact.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO PARKS AND RECREATIONAL FACILITIES.

Level of Significance Before Mitigation: Potentially Significant Impact.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are available.

Level of Significance After Mitigation: Significant Unavoidable Impact. (Murrieta General Plan 2035 FEIR, Page 5.20-17 through Page 5.2-24)²

No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to subsequent environmental review under CEQA with a site-specific analysis. Based on the scope of these updates, one can reasonably conclude that it would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated, or create new recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. Furthermore, individual development projects will be benchmarked against the Murrieta General Plan 2035 Goals and Policies with respect to Parks and Recreational Facilities for payment of impacts fees and/or constructing onsite recreational facilities. This includes Goals ROS-1 through ROS-9, Goal CIR-8, and corresponding Policies ROS-1.1 through ROS-1.4, ROS-2.1 through ROS-2.3, ROS-3.1 through ROS-3.7, ROS-4.1 through ROS-4.4, ROS-5.1 through ROS-5.4, ROS-6.1 through ROS-6.5, ROS-7.1 through ROS-7.4, ROS-8.1 through ROS-8.4, ROS-9.1 through ROS-9.5, and CIR-8.11 through CIR-8.12.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or the General Plan FEIR. The Project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Recreation). Relatedly, the General Plan FEIR (Parks and Recreational Facilities) did identify “significant unavoidable impacts”; however these updates are outside the scope of creating new significant impacts or increase the severity of a previously identified significant impacts as previously analyzed in the Murrieta General Plan 2035 FEIR and no further environmental review is necessary for this topic. The FEIR identified mitigation measures

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

to reduce the impacts to Parks and Recreational Facilities which would be carried forward on future site-specific projects.

XV. TRANSPORTATION/TRAFFIC -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to transportation/traffic including: (a) a conflict with an applicable plan, ordinance, or policy, establishing measures of effectiveness for the performance of the circulation system; (b) a conflict with an applicable congestion management program; (c) result in a change in air traffic patterns; (d) a substantial increase in hazards due to a design feature or incompatible use; (e) inadequate emergency access; or (f) conflicts with adopted policies supporting alternative transportation"

YES
☐

NO
☒

Comprehensive Development Code Negative Declaration, General Plan EIR, and Proposed Project

Negative Declaration

Impacts to "Transportation/Traffic" were analyzed under "Transportation/Circulation". The outcome from this analysis was determined to have a "Less Than Significant Impact" in terms of increasing vehicle trips or traffic congestion; creating hazards to safety from design features (e.g. sharp curves or dangerous intersections), incompatible uses (e.g. farm equipment) or barriers for pedestrians or bicyclists; leading to inadequacy for emergency access or access to nearby uses; resulting with insufficient parking capacity on-site or off-site; conflicting with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks); creating air or rail traffic impacts.

As described within the ND:

..The document regulates the following uses in conformance with the General Plan and applicable local, state and federal laws. These include, but are not limited to: affordable housing, air quality, geologic/seismic hazards, hazardous materials storage, hillside development, infrastructure mitigation, landscaping, lighting on project sites and for the regional benefit of Mount Palomar, noise, nonconforming structures, parking and loading of vehicles, signage, solid waste/recycling, transportation demand management, tree preservation, and vibrations.

..Studies will be required at the time of project development to assess the individual impacts to these resources in compliance with the California Environmental Quality Act. (Comprehensive Dev. Code, IS-11)¹

General Plan 2035 SEIR (2020)

Impacts to Transportation/Traffic were assessed under the General Plan SEIR under "Traffic and Circulation" The impacts were determined to remain below a level of significance with the implementation of compliance with the goals and policies of the General Plan 2035:

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD CONFLICT WITH A PROGRAM PLAN, ORDINANCE OR POLICY ADDRESSING THE CIRCULATION SYSTEM, INCLUDING TRANSIT ROADWAY, BICYCLE AND PEDESTRIAN FACILITIES.

Level of Significance Before Mitigation: Potentially Significant Impact

..Impact Conclusions:

Intersections:

With the potential improvements, traffic operations at most of the intersections are forecast to improve to either acceptable conditions (LOS D or better) or to a level considered less substantial (below “without project” levels). However, at the following intersections, feasible improvements were not identified, or improvement measures did not result in improved delays to below “without project” levels. Therefore, even with installation of the recommended improvements, implementation of the proposed Project would result in unavoidable traffic impacts at the following intersections:

- ☐ *Jefferson Avenue/Kalmia Street*
- ☐ *Winchester Road (SR-79)/Murrieta Hot Springs Road*
- ☐ *Hancock Avenue/Los Alamos Road*
- ☐ *Whitewood Road/Murrieta Hot Springs Road*
- ☐ *Whitewood Road/Clinton Keith Road*

Roadway Segments:

As discussed above, based on the results of the traffic impact analysis, seven (7) segments are forecast to be impacted as a result of the proposed Project’s land use modifications. Potential improvements to roadway segment operations are limited to roadway widening to increase capacity (as opposed to intersection improvements that include less impactful measures such as signal phasing modifications). Thus, roadway segment improvements are not considered to be feasible. Therefore, implementation of the proposed Project would result in diminished levels of service at the following roadway segments:

- ☐ *Clinton Keith Road east of California Oaks Road*
- ☐ *California Oaks Road south of Clinton Keith Road*
- ☐ *Jefferson Avenue south of California Oaks Road;*
- ☐ *Los Alamos Road between Monroe Avenue and Hancock Avenue*
- ☐ *Murrieta Hot Springs Road between I-15 and I-215*
- ☐ *Murrieta Hot Springs Road between Alta Murrieta Drive and Whitewood Road*
- ☐ *Murrieta Hot Springs Road between Whitewood Road and Margarita Road*

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD INCREASE HAZARDS DUE TO A GEOMETRIC DESIGN FEATURE OR INCOMPATIBLE USES.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: Not Applicable.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Level of Significance After Mitigation: Not Applicable.

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD RESULT IN INADEQUATE EMERGENCY ACCESS.

Level of Significance Before Mitigation: Less Than Significant Impact

..Mitigation Measures: Not Applicable

Level of Significance After Mitigation: Not Applicable

..IMPLEMENTATION OF THE PROPOSED PROJECT COULD CONFLICT WITH CEQA GUIDELINES SECTION 15064.3 (b).

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: Not Applicable

Level of Significance After Mitigation: Not Applicable

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED PROJECT AND CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE TRAFFIC AND CIRCULATION IMPACTS.

Level of Significance Before Mitigation: Significant Impact.

..With the potential improvements, traffic operations at most of the intersections are forecast to improve to LOS D or better, or to a level considered less than significant (below “without project” levels). However, at five (5) intersections, feasible improvements were not identified, or feasible improvement measures did not result in improved delays to below “without project” levels. In addition, seven (7) roadway segments are forecast to operate at LOS D, E, or F. Potential improvements to roadway segment operations are limited to roadway widening to increase capacity (as opposed to intersection improvements that include less impactful measures such as signal phasing modifications). Thus, roadway segment improvements are not considered to be feasible. Therefore, buildout of the proposed Project would result in cumulatively considerable traffic and circulation impacts.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the 2011 and/or proposed Project referenced above are available.

Level of Significance After Mitigation:

Roadway Segments: Significant Unavoidable Impact for the seven (7) roadway segments identified as LOS D, E, or F listed in table 4.2-11 above. Less Than Significant Impact for all other studied roadway segments identified as LOS A, B, or C on table 4.2-11 above.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Intersections: Significant Unavoidable Impacts for the five (5) intersections identified in Table 4.2-10 above. Less Than Significant Impact for all other studied intersections.

..The proposed Project would result in a significant unavoidable impact for the following areas for both project and cumulative impacts:

Intersections:

Even with installation of the recommended improvements, implementation of the proposed General Plan would result in unavoidable traffic impacts at the following five (5) intersections:

- ☐ *Jefferson Avenue/Kalmia Street*
- ☐ *Winchester Road (SR-79)/Murrieta Hot Springs Road*
- ☐ *Hancock Avenue/Los Alamos Road*
- ☐ *Whitewood Road/Murrieta Hot Springs Road*
- ☐ *Whitewood Road/Clinton Keith Road*

Roadway Segments:

Implementation of the proposed General Plan would result in unavoidable traffic impacts at the following seven (7) roadway segments:

- ☐ *Clinton Keith Road east of California Oaks Road*
- ☐ *California Oaks Road south of Clinton Keith Road*
- ☐ *Jefferson Avenue south of California Oaks Road*
- ☐ *Los Alamos Road between Monroe Avenue and Hancock Avenue*
- ☐ *Murrieta Hot Springs Road between I-15 and I-215*
- ☐ *Murrieta Hot Springs Road between Alta Murrieta Drive and Whitewood Road*
- ☐ *Murrieta Hot Springs Road between Whitewood Road and Margarita Road*

All other traffic and circulation impacts associated with implementation of the proposed Project would be less than significant by adherence to and/or compliance with goals and policies referenced above in section 4.7.4. (Murrieta General Plan 2035 SEIR, Page 4.2-10 through Page 4.2-27)³

No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. The Project is not proposing housing units or resulting in the increase in resident population which would affect transportation related issues. Individual development projects would still be subject to environmental review under CEQA, provide site specific transportation which would analyze intersection impacts, level of service (LOS), Vehicles Miles Traveled (VMT) studies which would be benchmarked against City's adopted VMT Guidelines, require review against the General Plan Circulation Element for both vehicular and non-vehicular access, and require collection of mitigation fees through the Transportation Uniform Mitigation Fee (TUMF) program, and identification of potential off-site improvements to reduce transportation level impacts to below a level of significance. With these updates there would not be new information of substantial importance that cause effects to transportation/traffic including conflicting with an applicable

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

plan, ordinance, or policy, establishing measures of effectiveness for the performance of the circulation system; creating a conflict with an applicable congestion management program; that would result in a change in air traffic patterns; create a substantial increase in hazards due to a design feature or incompatible use; create situations for inadequate emergency access; or conflicting with adopted policies supporting alternative transportation efforts.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or the General Plan 2035 SEIR. The Project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Transportation/Circulation). the General Plan 2035 SEIR (Traffic and Circulation) did identify "significant unavoidable impacts" for five intersections and seven road segments; however these updates are outside the scope of creating new significant impacts or increase the severity of a previously identified significant impacts as previously analyzed in the Murrieta General Plan 2035 SEIR and no further environmental review is necessary for this topic. The SEIR identified mitigation measures to reduce the impacts to Traffic and Circulation which would be carried forward on future site-specific projects.

XVI. TRIBAL CULTURAL RESOURCES

Since the previous ND was adopted, and when certification of the General Plan 2035 EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to tribal cultural resources including: a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

YES
☐

NO
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Comprehensive Development Code Negative Declaration, General Plan EIR, and Proposed Project

California Environmental Quality Act (CEQA) Guidelines, Section 15128, allows environmental issues for which there is no likelihood of a significant impact to not be discussed in detail or analyzed further in the ND. While "Tribal Cultural Resources" was not analyzed in detail, as outlined in CEQA Section 15128, there is no new information available that would indicate that these issues would result in new significant impacts based on the scope of the Project. The code updates under this Project modify and clarify existing planning and engineering standards to support future development throughout the City does not propose changes to existing land uses or density. Individual development projects would still be require compliance with both Assembly Bill 52 and Senate Bill 18 tribal consultation and be reviewed for consistency under CEQA. Through this process, site-specific Tribal Cultural Resources Mitigation Measures would be developed and implemented as required.

XVII. UTILITIES AND SERVICE SYSTEMS -- Since the previous ND was adopted, and when certification of the EIR occurred, are there any changes in the project, changes in circumstances under which the project is undertaken and/or "new information of substantial importance" that cause effects to utilities and service systems including: (a) exceedance of wastewater treatment requirements; (b) construction of new water or

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; (c) construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; (d) availability of sufficient water supplies to serve the project from existing entitlements and resources; (e) adequate wastewater treatment capacity to serve the project's projected demand in addition to the provider's existing commitments; (f) sufficient permitted landfill capacity to accommodate the project's solid waste disposal needs; or (g) compliance with federal, state, and local statutes and regulations related to solid waste?

YES
☐

NO
☒

Comprehensive Development Code Negative Declaration, General Plan EIR, and Proposed Project

Negative Declaration

Impacts to "Utilities and Service Systems" were determined to have a "Less Than Significant Impact" in terms of increasing the need for new systems, or substantial alterations to the following utilities: power or natural gas, communication systems, sewer or septic tanks, solid waste and disposal, local or regional water treatment or distribution facilities, and storm water drainage.¹

General Plan FEIR (2011)

Impacts to "Utilities and Service Systems" were analyzed under the General Plan FEIR under "Wastewater", "Water Supply", and "Solid Waste". The impacts were determined to remain below a level of significance with the implementation of Mitigation Measures and compliance with the goals and policies of the General Plan 2035 FEIR cumulative perspective:

Wastewater

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN INCREASED DEMAND FOR WASTEWATER SERVICES AND INFRASTRUCTURE.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

INFRASTRUCTURE ELEMENT

Goal INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.

Policies

INF-1.1 Encourage future development to occur in areas where infrastructure for water, sewer, and storm water can most efficiently be provided.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

INF-1.2 Discourage development in areas without connections to existing infrastructure, unless infrastructure is being provided.

INF-1.3 Encourage the annexation of unserved areas into water district service areas.

INF-1.4 Ensure that new development and redevelopment provides infrastructure for water, sewer, and storm water that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers.

INF-1.5 Continue to require new development and redevelopment to provide verification that energy utilities are able to accommodate the additional demand for service.

INF-1.6 Provide information to water districts, Riverside County Flood Control and Water Conservation District (RCFCWCD), and energy utilities in their planning efforts to ensure adequate infrastructure is available for anticipated development.

INF-1.7 Encourage the preparation and updates of master plans by the appropriate providers or agencies to conduct detailed long-range planning to ensure the efficient provision of public services, infrastructure, and/or utilities.

INF-1.8 Consult with water districts and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that fee structures are sufficient for new development and redevelopment to pay its fair share of the cost of infrastructure improvements for water, sewer, and storm water.

INF-1.9 Encourage the water districts to proactively manage their assets through the maintenance, improvement, and replacement of aging water and wastewater systems to ensure the provision of these services to all areas of the community.

INF-1.10 Encourage the water districts to improve water and wastewater services in a way that respects the natural environment.

INF-1.21 Encourage the use of specific plans, development agreements, or mechanisms that specify the nature, timing, cost, and financing mechanisms to be used to fund water, wastewater, and/or storm drainage improvements and services.

CONSERVATION ELEMENT

Goal CSV-1 A community that conserves, protects, and manages water resources to meet long term community needs, including surface waters, groundwater, imported water supplies, storm water, and waste water.

Policies

CSV-1.1 Encourage the provision of a safe and sufficient water supply and distribution system.

CSV-1.2 Promote the maximization of water supplies through conservation, water recycling, and groundwater recharge.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CSV-1.3 Promote the protection of groundwater supplies from contamination.

CSV-1.4 Support water purveyors in promoting a City-wide recycled water system through project review and coordination with water districts.

CSV-1.6 Coordinate water resource management with water districts and regional, state, and federal agencies.

Mitigation Measures:

WW-1 Prior to issuance of a wastewater permit for any future development project, the Project Applicant shall pay applicable connection and/or user fees to RCWD, EVMWD, WMWD, or EMWD.

WW-2 Prior to issuance of a building permit for any future development project, the Project Applicant shall prepare an engineering study to support the adequacy of the sewer systems and submit the engineering study to the City for review and approval. Any improvements recommended in the engineering study shall be installed prior to the certificate of occupancy for the development project.

WW-3 Prior to issuance of a building permit for any future development project, the Project Applicant shall provide evidence that the RCWD, EVMWD, WMWD, or EMWD has sufficient wastewater transmission and treatment plant capacity to accept sewage flows from buildings for which building permits are being requested. Less Than Significant Impact.

Level of Significance After Mitigation: Less Than Significant Impact.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO WASTEWATER SYSTEMS DUE TO INCREASED DEMAND AND CREATING THE NEED FOR ADDITIONAL FACILITIES.

Level of Significance Before Mitigation: Potentially Significant Impact.

..Mitigation Measures: Refer to Mitigation Measures WW-1, WW-2, and WW-3. No additional mitigation measures are required.

Level of Significance After Mitigation: Less Than Significant Impact.

..Wastewater impacts associated with implementation of the proposed General Plan 2035 Murrieta would be less than significant with compliance with the goals and policies in the proposed General Plan 2035 and the recommended mitigation measures. Therefore, no significant unavoidable wastewater impacts would occur as a result of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.16-7 through Page 5.16-12)²

Water Supply

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN INCREASED DEMAND FOR WATER SUPPLIES AND INFRASTRUCTURE WITHIN THE CITY.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Goals and Policies in the Proposed General Plan 2035:

CONSERVATION ELEMENT

Goal CSV-1 A community that conserves, protects, and manages water resources to meet long term community needs, including surface waters, groundwater, imported water supplies, storm water, and waste water.

Policies

CSV-1.1 Encourage the provision of a safe and sufficient water supply and distribution system.

CSV-1.2 Promote the maximization of water supplies through conservation, water recycling, and groundwater recharge.

CSV-1.3 Promote the protection of groundwater supplies from contamination.

CSV-1.4 Support water purveyors in promoting a City-wide recycled water system through project review and coordination with water districts.

CSV-1.5 Encourage the owners of hot springs to protect and enhance them.

CSV-1.6 Coordinate water resource management with water districts and regional, state, and federal agencies.

Goal CSV-2 Murrieta promotes compliance with requirements from the State and appropriate agencies regarding comprehensive water conservation measures in buildings and landscaping.

Policies

CSV-2.1 Ensure that all developments comply with water efficiency requirements, as mandated by the applicable Building Code.

CSV-2.2 Work with water districts to encourage and incentivize the retrofitting of building systems, both indoor and outdoor, with water-conserving fixtures and appliances.

CSV-2.3 Continue to utilize the programs and assistance of regional and state water agencies to increase water conservation throughout the City and Sphere of Influence.

CSV-2.4 Promote water efficient landscaping practices through outreach efforts, project review, and enforcement of City, regional, or State code requirements.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CSV-2.5 Consider streamlining municipal regulations pertaining to landscaping so that applicability and requirements are easily understood.

Goal CSV-9 A community that promotes the growth of an urban forest and water-efficient landscaping, recognizing that plants provide natural services such as habitat, storm water management, soil retention, air filtration, and cooling, and also have aesthetic and economic value.

Policies

CSV-9.1 Identify and protect native trees, trees of historic or cultural significance, and mature trees, consistent with the Tree Preservation Ordinance.

CSV-9.2 Consider the establishment of street tree standards and a program for street tree planting, maintenance, and replacement.

CSV-9.3 Promote the use of street trees as a buffer between pedestrians and motorized traffic.

CSV-9.4 Encourage the planting of street trees in linear planting beds rather than tree wells in order to support long-living healthy trees.

CSV-9.5 Encourage the planting of trees in private yards and properties.

CSV-9.6 Maintain a guide to preferred trees, shrubs, and ground cover plants of noninvasive species, or refer private parties to an existing guide that meets City needs to assist private landscaping efforts.

CSV-9.8 Encourage any new landscaped areas requiring permits to respect and incorporate the distinctive elements of the existing community landscape, including the retention of existing trees, to the maximum extent feasible.

CSV-9.9 Promote the use of native plant species in public landscaping of parks, schools, medians and planter strips, as well as in private development throughout the City.

Goal CSV-15 A community taking a leadership role in resource conservation and reduction of greenhouse gas emissions by implementing programs to improve municipal operations.

Policies

CSV-15.5 Encourage of the use recycled water where appropriate and feasible in City parks and landscaped areas, and demonstrate preferred techniques for water-efficient landscaping, including the use of native plants.

CSV-15.6 Demonstrate cutting-edge green building techniques when constructing and retrofitting municipal buildings.

INFRASTRUCTURE ELEMENT

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Goal INF-1 New development and redevelopment is coordinated with the provision of adequate infrastructure for water, sewer, storm water, and energy.

Policies

INF-1.1 Encourage future development to occur in areas where infrastructure for water, sewer, and storm water can most efficiently be provided.

INF-1.2 Discourage development in areas without connections to existing infrastructure, unless infrastructure is being provided.

INF-1.3 Encourage the annexation of unserved areas into water district service areas.

INF-1.4 Ensure that new development and redevelopment provides infrastructure for water, sewer, and storm water that adequately serves the proposed uses, and that has been coordinated with affected infrastructure providers.

INF-1.5 Continue to require new development and redevelopment to provide verification that energy utilities are able to accommodate the additional demand for service.

INF-1.6 Provide information to water districts, Riverside County Flood Control and Water Conservation District (RCFCWCD), and energy utilities in their planning efforts to ensure adequate infrastructure is available for anticipated development.

INF-1.7 Encourage the preparation and updates of master plans by the appropriate providers or agencies to conduct detailed long-range planning to ensure the efficient provision of public services, infrastructure, and/or utilities.

INF-1.8 Consult with water districts and Riverside County Flood Control and Water Conservation District (RCFCWCD) to ensure that fee structures are sufficient for new development and redevelopment to pay its fair share of the cost of infrastructure improvements for water, sewer, and storm water.

INF-1.9 Encourage the water districts to proactively manage their assets through the maintenance, improvement, and replacement of aging water and wastewater systems to ensure the provision of these services to all areas of the community.

INF-1.10 Encourage the water districts to improve water and wastewater services in a way that respects the natural environment.

NF-1.21 Encourage the use of specific plans, development agreements, or mechanisms that specify the nature, timing, cost, and financing mechanisms to be used to fund water, wastewater, and/or storm drainage improvements and services.

INF-1.22 Work with property owners to establish a financing mechanism, such as financing districts, to provide infrastructure and maintenance in major employment locations and corridors, such as the North Murrieta Business Corridor, South Murrieta Business Corridor, and at the confluence of the I-15 and I-215 Freeways.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

INF-1.23 Utilize, where appropriate, public financing mechanisms, such as special assessment or community facilities districts to fund water improvement and service costs.

INF-1.24 Consider the use of redevelopment financing, where appropriate, to provide infrastructure in areas where the City wishes to stimulate development.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS TO WATER RESOURCES INCLUDING INCREASED DEMAND FOR WATER SUPPLIES AND INFRASTRUCTURE.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..Impacts related to water supplies and facilities associated with implementation of the proposed General Plan 2035 for the City of Murrieta would be less than significant with compliance with the goals and policies in the General Plan 2035. Therefore, no significant unavoidable water supplies and facilities impacts would occur as a result of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.15-27 through Page 5.15-32)²

Solid Waste

..IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 COULD RESULT IN DEMANDS ON LOCAL LANDFILLS IN EXCEEDANCE OF CAPACITY CURRENT CAPACITY CONSTRAINTS.

Level of Significance Before Mitigation: Less Than Significant Impact.

...Goals and Policies in the Proposed General Plan 2035:

CONSERVATION ELEMENT

Goal CSV-13 Solid waste is diverted from landfills through waste reduction, re-use and recycling.

Policies

CSV-13.1 Continue to comply with the landfill diversion requirements of the Integrated Waste Management Program.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

CSV-13.2 Ensure that non-residential and multi-family developments provide readily accessible areas for recycling (at a minimum) paper, corrugated cardboard, glass, plastics and metals, as required by California law.

CSV-13.3 Maximize community reuse and recycling of products and materials through waste management contracts and public education.

CSV-13.4 Incentivize businesses that provide solutions for recycling and re-use of specific waste streams such as food waste and cooking oils.

CSV-13.5 Work with local landfills or green waste centers to develop the infrastructure for a composting program.

CSV-13.6 Provide public outreach and education workshops and information on the composting program.

CSV-13.7 Work with local landfills or green waste centers, or other interested parties, as appropriate, to implement a community-wide food scrap collection and composting program.

Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..DEVELOPMENT ASSOCIATED WITH IMPLEMENTATION OF THE PROPOSED GENERAL PLAN 2035 AND OTHER CUMULATIVE DEVELOPMENT COULD RESULT IN CUMULATIVELY CONSIDERABLE IMPACTS RELATED TO SOLID WASTE DISPOSAL SERVICES AND LANDFILL DISPOSAL CAPACITY.

Level of Significance Before Mitigation: Less Than Significant Impact.

..Mitigation Measures: No mitigation measures beyond the goals and policies identified in the proposed General Plan 2035 are required.

Level of Significance After Mitigation: Not Applicable.

..Solid waste impacts associated with implementation of the proposed General Plan 2035 would be less than significant by adherence to/compliance with State and local requirements and goals and policies in the proposed General Plan 2035. No significant unavoidable solid waste impacts would occur as a result of buildout of the proposed General Plan 2035. (Murrieta General Plan 2035 FEIR, Page 5.21-4 through Page 5.21-7)²

No Substantial Change From Previous Analysis

The Project updates and clarifies existing administrative planning and engineering code processes and standards that currently exists within MMC which apply throughout the City and within hillside areas. Individual development projects would still be subject to environmental review under CEQA with a site-

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

specific analysis. Furthermore, individual development projects will be benchmarked against the Murrieta General Plan 2035 Goals and Policies with respect to Wastewater, Water Supply, and Solid Waste. For Wastewater, this includes Goals INF-1, CSV-1 and corresponding Policies INF-1.1 through INF-1.10, INF-1.21, CSV-1.1 through CSV-1.4, CSV-1.6. For Water Supply, this includes Compliance with Goals CSV-1, CSV-2, CSV-9, CSV-15, INF-1 and corresponding Policies CSV-1.1 through CSV-1.6, CSV-2.1 through CSV-2.5, CSV-9.1 through CSV-9.9, CSV-15.5 through CSV-15.6, INF-1.1 through INF-1.10, INF-1.21 through INF-1.24. For Solid Waste, this includes Goal CSV-13 and corresponding Policies CSV-13.1 through CSV-13.7. Furthermore, the Project is not proposing housing units resulting in an increase in resident population which would affect utility and infrastructure-related issues. Individual development projects would still be subject to project and environmental review under CEQA, provide site-specific water capacity studies, septic/sewer capacity studies, provide Best Management Practices for drainage, demonstrate compliance with solid waste disposal needs; and demonstrate compliance with federal, state, and local statutes and regulations. Provided this background with these updates, there would not be any new information of substantial importance that would cause effects to utilities and service systems including: exceedance of wastewater treatment requirements; construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects; construction of new storm water drainage facilities or expansion of existing facilities which would cause the construction or which could cause significant environmental effects; availability of sufficient water supplies to serve the project from existing entitlements and resources; adequate wastewater treatment capacity to serve the project's projected demand in addition to the provider's existing commitments; sufficient permitted landfill capacity to accommodate the project's solid waste disposal needs; or compliance with federal, state, and local statutes and regulations related to solid waste.

Based on the foregoing discussion, there is no evidence that the Project would require a major change to the ND or General Plan 2035 FEIR. The project would not result in any new significant impacts which were disclosed and analyzed by the Comprehensive Development Code Negative Declaration for this issue area (Utilities and Service Systems) or General Plan 2035 FEIR (Wastewater, Water, Solid Waste), nor there be a substantial increase in the severity of impacts that would result with compliance for review and implementation of the above described Goals and Policies.

¹ City of Murrieta, Development Services Dept., Planning Div., *Draft Comprehensive Development Code*, 1997.

² City of Murrieta, Development Services Dept., Planning Div., *Final Environmental Impact Report Murrieta General Plan 2035*, July 19, 2011, <https://www.murrietaca.gov/303/General-Plan-2035>.

³ City of Murrieta, Development Services Dept., Planning Div., *Draft Supplemental Environmental Impact Report Murrieta General Plan 2035*, February, 2020, <https://www.murrietaca.gov/267/General-Plan-Update-SEIR>.

Tracy, Christopher

From: Kassen Klein <kassen@kassenklein.com>
Sent: Monday, June 1, 2026 10:29 AM
To: Tracy, Christopher; Chantarangsu, David; Ramaiya, Jarrett; Stiehl, Carl; Wells, Tanya
Cc: Clifton, Justin; Agajanian, Scott
Subject: Re: May 28th DAG

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

Good morning, Chris.

Thank you!



KASSEN KLEIN

Real Estate Development Entitlement Consulting

☎ (951) 733-7665

✉ kassen@kassenklein.com

📍 P.O. Box 747, Murrieta, CA 92564

From: Tracy, Christopher <ctracy@MurrietaCA.gov>
Date: Monday, June 1, 2026 at 9:22 AM
To: Kassen Klein <kassen@kassenklein.com>, Chantarangsu, David <DChantarangsu@MurrietaCA.gov>, Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>, Stiehl, Carl <CStiehl@MurrietaCA.gov>, Wells, Tanya <TWells@MurrietaCA.gov>
Cc: Clifton, Justin <JClifton@MurrietaCA.gov>, Agajanian, Scott <SAgajanian@MurrietaCA.gov>
Subject: RE: May 28th DAG

Thank you Kassen again for the feedback/suggestions. I did not see any red flags with it and incorporated the language you suggested in the draft Ordinance under the **Purpose** section. Before finalizing, I'll have to run this by the City Attorney to confirm.



Chris Tracy, AICP

SENIOR PLANNER

DEVELOPMENT SERVICES DEPARTMENT

CITY OF MURRIETA

O: (951) 461-6046

CTracy@MurrietaCA.gov

1 Town Square | Murrieta, CA 92562

www.MurrietaCA.gov | [Connect with us](#)

From: Kassen Klein <kassen@kassenklein.com>

Sent: Monday, May 25, 2026 1:04 PM

To: Chantarangsu, David <DChantarangsu@MurrietaCA.gov>; Ramaiya, Jarrett <jramaiya@MurrietaCA.gov>; Stiehl, Carl <CStiehl@MurrietaCA.gov>; Tracy, Christopher <ctracy@MurrietaCA.gov>; Wells, Tanya <TWells@MurrietaCA.gov>

Cc: Clifton, Justin <JClifton@MurrietaCA.gov>; Agajanian, Scott <SAgajanian@MurrietaCA.gov>; Kassen Klein <kassen@kassenklein.com>

Subject: May 28th DAG

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

Good afternoon,

Sorry for contacting you all on Memorial Day Monday. I will be heading out of State early tomorrow morning and I wanted to submit the attached Memo regarding the proposed revisions to the Hillside Development Ordinance for review, consideration, and discussion during Thursday's DAG meeting.

I have slightly revised what I submitted to Planning Commission and Staff on 5/13.

As always, happy to discuss further with staff before the next time the item goes to PC and or CC.



KASSEN KLEIN

Real Estate Development Entitlement Consulting

☎ (951) 733-7665

✉ kassen@kassenklein.com

📍 P.O. Box 747, Murrieta, CA 92564



MEMORANDUM

TO: Murietta Development Advisory Group (DAG)

FROM: Kassen Klein

DATE: May 25, 2026

SUBJECT: Analytical Review of Precatory Language in Murrieta Development Code § 16.24.010 (Purpose)

Executive Summary

This memorandum addresses the use of the term "**encourage**" within Murrieta Development Code Section 16.24.010. From a land-use perspective, this language is **precatory**—expressing a preference rather than a mandate. While appropriate for a policy-level "Purpose Statement," its inherent lack of objectivity creates administrative challenges that can lead to inconsistent enforcement and project delays.

This subjectivity is deeply embedded in the core provisions of the section. The code specifically utilizes the word "**encouraging**" to direct how applicants and staff must navigate vital resource, structural, and public safety mandates, explicitly stating in Subsections C, D, E, and G (*Ref: Page 14 of 50*):

- C. Encouraging development proposals that feature water conservation and aquifer recharge techniques;
- D. Encouraging development proposals that are sensitive to fire, flood, slide, erosion, pollution, or other safety hazards;
- E. Encouraging sensitive development through flexible design and innovative arrangement of building sites by utilizing variable lot sizes, clustering, and setback variations;
- G. Encouraging developments that incorporate desirable existing features of land (e.g., natural vegetation, viewsheds, topographic features);

Current vs. Proposed Language	Legal/Functional Style	Impact on Project Review
"Encourage" / "Encouraging" (Current in C, D, E, G)	Precatory (Aspirational)	High staff discretion; unquantifiable expectations for the developer regarding hazards, resources, and design techniques.
"Reasonably Consider" (Proposed Alternative)	Procedural Mandate	Requires documented due diligence on water, safety hazards, clustering, and resources; creates a clear, defensible evaluation process.



Current vs. Proposed Language	Legal/Functional Style	Impact on Project Review
"Shall" (§ 16.24.050 Standards)	Mandatory (Regulatory)	Provides the absolute, objective benchmark for final project compliance.

Ultimately, for the Murrieta Development Code to remain a reliable tool for both the City and the community, the "shalls" found in subsequent Development Standards must remain the primary benchmark for project compliance. Over-reliance on the subjective term "**encourage**" when evaluating critical issues like fire safety, water conservation, and viewshed preservation invites administrative friction and complicates the path to a clear, predictable determination of project consistency. To resolve this ambiguity, it is recommended that the City replace "**encourage**" with a more objective, procedural framework, such as requiring applicants to "**reasonably consider**" these specific design elements and safety hazards.

2. Consequences of Subjectivity

The lack of objective metrics within Section 16.24.010 introduces two primary operational issues:

- **Subjectivity for the Developer:** The term does not define a "finish line." It fails to provide the applicant with a clear understanding of exactly how much effort or design modification is required to satisfy the City's and Staff's expectations regarding complex issues like hazard mitigation, clustering, or viewshed protection.
- **Subjectivity for the City:** This language grants Development Services staff broad discretionary power during the project review process. Staff may interpret that an applicant has not sufficiently satisfied the intent of "**encouraging**" the preservation of a specific knoll or natural feature. **This leads to:**
 - **Iterative corrections:** Shifting interpretations by individual staff members result in repetitive, unpredictable cycles of plan-check corrections.
 - **Requested redesigns:** Applicants face demands for costly, late-stage design modifications based on subjective staff preferences rather than clear, quantifiable metrics.
 - **Significant project delays:** The application becomes bottlenecked in administrative processing for months or years before ever reaching a public hearing.

3. The Alternative: "Reasonably Consider"

To bridge the gap between policy intent and regulatory clarity—particularly across the critical safety, infrastructure, and design techniques outlined in Subsections C, D, E, and G—the City should replace the phrase "**encourage**" with "**reasonably consider**."



While "reasonably consider" still provides flexibility for unique topography or site constraints, it shifts the legal and administrative framework in three distinct ways:

- **Establishes a Procedural Mandate:** An applicant can no longer simply ignore a policy goal because it is phrased as a text-driven "**encouragement**." They are legally required to put critical items—like fire sensitivity, water conservation, environmental hazards, and clustering—through a deliberate evaluation process.
- **Creates an Objective Paper Trail:** To prove they have "reasonably considered" a standard (such as hillside layout or viewshed preservation), the developer must document *why* a certain design choice was made. If a natural feature cannot be saved or a clustering technique is omitted, the developer must demonstrate the technical, topographical, or economic infeasibility, removing arbitrary guesswork.
- **Defines the Administrative Finish Line:** For City staff, the review changes from a subjective evaluation of "is this project supportive enough?" to a binary check: *"Did the applicant perform due diligence and provide a reasonable, documented justification for their design approach regarding safety hazards and resource preservation?"*

4. The Verdict on Clarity

The word "encourage" is **inherently unclear in its intent** because its interpretation is entirely localized and highly subjective to both the processing staff member and the applicant. For the developer, "encouragement" is measured by the good-faith design concepts submitted; for the individual Planner, it is measured by a personal, fluctuating benchmark of what constitutes a sufficient municipal outcome. Because what satisfies one party or reviewer may be deemed completely inadequate by another, the term renders the code unpredictable and impossible to apply objectively. To ensure a defensible and predictable development environment, the Purpose section must be anchored to a clear procedural action.

SECTION 7. Chapter 16.24 (Hillside Development) is hereby amended in its entirety to read as follows:

“16.24.010 Purpose.

The purpose of this chapter is to provide regulations for the development of areas in the *City* that, because of their topography, require special consideration to ensure that they are developed in a way that substantially maintains their natural character and environmental and aesthetic values to implement the *City’s* General Plan, and to provide for the safety, health, and welfare of the public by:

- A. Providing guidelines and standards for development in visually sensitive *Hillside Areas* to minimize the adverse impacts of *grading* and to promote the goals and objectives of the *City’s* General Plan;
- B. Maintaining an environmental equilibrium consistent with existing vegetation, wildlife, soils, geology, *slopes*, and drainage patterns, and to preserve natural topography and scenic character, including canyons, creeks, knolls, rock outcrops, and ridgelines whenever feasible;
- C.** Encouraging development proposals that feature water conservation and aquifer recharge techniques;
- D.** Encouraging development proposals that are sensitive to fire, flood, slide, *erosion*, pollution, or other safety hazards;
- E.** Encouraging sensitive development through flexible design and innovative arrangement of building sites by utilizing variable lot sizes, clustering, and setback variations;
- F. Utilizing nontraditional design standards for streets and hillside *grading* where development quality and public safety are not affected;
- G.** Encouraging developments that incorporate desirable existing features of land (e.g., natural vegetation, viewsheds, topographic features);
- H. Protecting significant natural areas for ecologic purposes, educational, and other scientific study purposes; 1. Encouraging the use of drought-tolerant plant material to protect *slopes* from soil *erosion* and slippage, preserve natural watershed, minimize fire hazard, and minimize the scarring and deformation of the natural landscape;
- I. Limiting the impact of *cut slopes* on adjacent developed and undeveloped properties; and
- J. Providing for appropriate intensity of development (e.g., density, massing, etc.) through a variety of design techniques to ensure that development intensity decreases as *slopes* become steeper (e.g., lot sizes appropriate for steeper topography and separation of structures sufficient to preserve a viewshed).

16.24.020 Applicability.

A. Location Consideration for Analysis. Notwithstanding any other provisions of this Code, the standards contained in this chapter apply to uses and structures within Hillside Areas that have a slope twenty-five (25) percent or greater and as designated within the boundaries of a Hillside Overlay Map. Additionally, please refer to Table 16.24-1 (Undeveloped And Developed Standards And Processing

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Alternative C: Reasonably consider development proposals that feature water conservation and aquifer recharge techniques;

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MEMORANDUM

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FROM: Kassen Klein

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CITY OF MURRIETA

Planning Commission Meeting

Agenda Report

5/13/2026
Agenda Item No. 3.

TO: HONORABLE CHAIR AND MEMBERS OF THE PLANNING COMMISSION

FROM: Carl Stiehl, City Planner

PREPARED BY: Chris Tracy, AICP, Senior Planner

SUBJECT: **Reintroduction of Hillside Ordinance Updates (DCA-2021-2396) to amend the Murrieta Development Code**

RECOMMENDATION

1. Find that the proposed action is consistent with the Public Resources Code Section 21000 et. Seq. (the California Environmental Quality Act (CEQA)) pursuant to Title 14, Division 6, Chapter 3 of the California Code of Regulations (CEQA Guidelines), Section 15162 for the reasons specified in this report; and
2. Adopt a Resolution (Attachment 1) recommending that the City Council introduce and place on first reading an Ordinance for the Title 16 updates reflective of Attachments 2 (Exhibit "A") and 3 (Exhibit "B") entitled:

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA, CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL AUTHORIZE THE FILING OF THE ENVIRONMENTAL DETERMINATION AND APPROVE DEVELOPMENT CODE AMENDMENT 2021-2396 RELATED TO CHAPTERS 16.08, 16.14, 16.18, 16.22, 16.24, AND 16.28.

ENVIRONMENTAL

The proposed ordinance amendments have been reviewed for consistency with prior environmental documentation prepared and certified by the City of Murrieta, including the adopted Negative Declaration for implementation of the Comprehensive Development Code approved on October 28, 1997, as well as the Murrieta General Plan Final Program EIR (SCH No. 2010111084) and 2021 Subsequent SEIR. The evaluation was conducted pursuant to Public Resources Code section 21166 and CEQA Guidelines section 15162.

The City's original 1994 General Plan, along with the subsequent implementation of the Comprehensive Development Code in 1998, established a longstanding policy framework recognizing hillside areas, ridgelines, open space, and rural character as important community resources warranting preservation and specialized development consideration. Since incorporation, the City's General Plan and zoning regulations have consistently addressed hillside development constraints, environmental considerations, grading practices, visual resources, drainage, fire safety, and terrain-sensitive site design. The 1994 General Plan specifically identified preservation of significant landforms, protection of scenic hillsides and ridgelines,

maintenance of rural character, and the use of specialized planning and design techniques for hillside areas as foundational community objectives which have been carried over through the years to the current General Plan adopted in 2020.

The proposed ordinance amendments do not establish fundamentally new land use policy, expand allowable development intensity, or introduce new categories of development within hillside areas. Rather, the amendments modernize, clarify, codify, and refine implementation mechanisms associated with existing hillside development policies and standards that have been embedded within the City's regulatory framework for decades. The amendments accomplish the following:

- Clarify applicability of hillside standards through a codified GIS-based Hillside Overlay Map;
- Replace outdated and inconsistently applied average slope calculations with standardized GIS-based analysis;
- Establish more objective and internally consistent development standards;
- Clarify retaining wall, landscaping, grading, and building height methodologies;
- Improve administrative consistency and project predictability;
- Further implement longstanding General Plan policies concerning hillsides, ridgelines, and community character.

The amendments therefore represent a continuation and refinement of existing hillside preservation and development regulations previously evaluated in the City's prior environmental documents, rather than a substantial change in land use policy or environmental impact potential. Staff further determined that the proposed updates would not result in new significant environmental impacts, substantially more severe impacts, substantial changes to the project, substantial changes in circumstances, or new information of substantial importance requiring preparation of a subsequent or supplemental environmental document pursuant to CEQA Guidelines section 15162. The previously certified environmental documents adequately address and cover the proposed modifications reflected in Attachments 4 and 5.

PRIOR ACTION/VOTE

On June 28th, 2023, the Planning Commission held a duly noticed public hearing on the proposed Development Code Amendment (DCA-2021-2396) as it relates to hillside development and recommended that the City Council adopt the proposed ordinance. (Vote: 4-0)

EXECUTIVE SUMMARY

Since 2022, the City staff has worked to modernize its hillside development regulations, which have remained largely unchanged for nearly three decades and were often criticized for being subjective and inconsistent. Recognizing that original standards were applied citywide without precise mapping, the City Council initiated a series of workshops between 2022 and 2026 to carefully review each aspect of the hillside regulations and overhaul the related sections of the Municipal Code and Development Code (Murrieta Municipal Code Title 16). The primary goal of these updates is to replace antiquated formulas and vague criteria with clear, objective standards. By utilizing modern Geographic Information Systems (GIS) technology, the City has established a formal Hillside Overlay Map, ensuring that restrictive regulations, such as a 25% slope threshold, apply only to designated areas rather than citywide, which was never the intention.

The proposed amendments introduce specific technical refinements to improve administrative efficiency and project predictability for both staff and applicants by accomplishing the following:

- Establishes clearer and more objective hillside development standards to improve administrative efficiency and project predictability for applicants and staff (see Sections 16.24.020, 16.24.040, and 16.24.050).
- Introduces a standardized methodology for measuring building height on sloped lots and replaces manual average slope calculations with GIS-based data (see Sections 16.18.080(A), 16.24.020(B), and related Figures 16.18-1 through 16.18-6).
- Clarifies retaining wall, landscaping, and fuel modification zone requirements to improve consistency and support fire safety objectives (see Sections 16.24.060(E), 16.24.060(F), and 16.24.060(I)).
- Incorporates enhanced hillside design guidelines, including muted color palettes, contour grading, tiered retaining walls, and integrated landscaping, to reduce visual impacts and better integrate development with the natural terrain (see Sections 16.24.060(D), 16.24.060(E), 16.24.060(G), and 16.24.070).
- Defers broader citywide retaining wall policy updates to a future ordinance while implementing targeted interim refinements applicable to hillside areas (see Recitals dated November 18, 2025 and February 3, 2026, and Section 16.24.060(E)).
- Advances transparency and regulatory clarity while balancing state housing law compliance, private property rights, fire safety requirements, and preservation of Murrieta's scenic hillside character (see Sections 16.24.010, 16.24.020, 16.24.050(C), and 16.24.070).
- These updates represent a significant shift toward transparency and regulatory clarity, aligning local code with state housing laws while balancing private property rights and at the same time addressing Murrieta's scenic hillside character.

The draft ordinance presented to the Planning Commission (Commission) in 2023 has been revised following workshops with the City Council. Staff are returning to the Commission for reintroduction of the ordinance and a new recommendation to the City Council on the Hillside Updates consistent with the direction received.

BACKGROUND

In August 1996, the City Council retained a design consultant to assist in preparing a new zoning code. By September 1997, following several joint public workshops with the Planning Commission and City Council to gather input and establish development standards, the City initiated the adoption process for a comprehensive Development Code. In early 1998, the City implemented new zoning and development regulations, replacing Riverside County Ordinance No. 348. These regulations included provisions addressing hillside development. Aside from minor amendments in 2003, the City's hillside development standards have remained largely unchanged since their original adoption.

At the time of adoption, the standards were applied on a citywide basis rather than being limited to specifically designated hillside areas. Additionally, the City lacked the tools to independently identify hillside areas. Although a map depicting hillside features was later developed, it was never formally codified within the Municipal Code. While this map has been used historically during project review, questions have persisted regarding its accuracy. Advances in technology now allow for precise identification of hillside areas on a citywide basis through geographic information systems (GIS).

Over time, staff have identified inconsistencies across various sections of the Municipal Code including the Development Code, leading to conflicting interpretations of existing standards. For example, applicants have noted that the City's hillside development and general height regulations are complex and inconsistently applied.

The primary objective of the proposed updates is to revise the development standards to ensure they are clear, accurate, and user-friendly for both applicants and staff. The proposed modifications are intended to

improve clarity, resolve inconsistencies, incorporate best practices, and streamline regulatory requirements.

On March 29, 2022, during its annual priority goals workshop, the City Council directed staff to review the hillside development standards due to concerns regarding their interpretation. The City's current hillside regulations are codified in Chapter 16.24, "Hillside Development," of the Development Code. The proposed updates have since been reviewed and approved by the Riverside County Airport Land Use Commission (Attachment 2). Additionally, the City has created a dedicated webpage to inform the public about the proposed modifications, available at: <https://www.murrietaca.gov/1314/Hillside>.

Development Advisory Group

On August 25, 2022, staff presented an overview of the proposed Development Code amendments to the Development Advisory Group (DAG) to solicit feedback on the draft standards. The group generally agreed that the proposed revisions would help clarify the applicability of hillside development standards.

WRCOG Assistance

Staff also notes that the effort benefited from consultant support funded through a grant program administered by the Western Riverside Council of Governments (WRCOG). Through this program, the City was able to obtain updated graphic exhibits included in the draft Ordinance by working with PlaceWorks, at no cost to the City.

Planning Commission - Workshop 1

This item was continued from the December 14, 2022 meeting. No report or presentation was provided.

Planning Commission - Workshop 2

On January 25, 2023, staff presented a workshop to the Commission outlining proposed updates to the Municipal Code in advance of a future public hearing, with the goal of obtaining feedback on key issues and potential revisions. Major discussion topics included resolving building height measurement conflicts through a consistent grade reference, implementing GIS-based hillside and ridgeline mapping, replacing average slope calculations with GIS data, and identifying screening techniques for ridgeline development. Staff also introduced broader updates to improve code clarity, incorporate graphics, address inconsistencies, apply best practices, and simplify standards.

Community Outreach Workshop

On April 11, 2023, staff conducted a public workshop at the Alderwood Park Clubhouse to present the existing and proposed hillside development standards and solicit additional community feedback. This outreach was undertaken at the direction of the Planning Commission to promote transparency and broaden public input. The presentation addressed topics including the applicability of the Hillside Overlay, structure height limits and measurement methods, slope applicability, elimination of average slope calculations, identification of prominent ridgelines, and updated retaining wall standards. The workshop concluded with a question-and-answer session to gather community feedback.

Planning Commission - Ordinance Recommendation

On June 28th, 2023, the Commission held a duly noticed public hearing on the proposed Development Code Amendment as it relates to hillside development. Staff highlighted the historical evolution of hillside regulations since the 1990s and identified key issues, including overly complex requirements, inconsistent interpretation,

and the need to better target regulations within designated hillside overlay areas. The update includes technical revisions related to building height, retaining walls, setbacks, line-of-sight requirements, and landscaping, with a shift toward a more objective, GIS-based framework supported by the Hillside Overlay Map and Prominent Ridgelines Map.

The Commission and public discussed design considerations and policy implications, including alternatives to large retaining walls and concerns about property impacts from mapped overlays. Public speakers urged flexibility and cautioned against rigid mapping, while staff emphasized balancing preservation with development feasibility.

City Council - Workshop 1

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

City Council - Workshop 2

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

City Council - Workshop 3

On June 17, 2025, the City Council hosted a third workshop on this item. Staff explained that the existing 30-year-old regulations are plagued by inconsistencies and lack an official overlay map, leading to unpredictable reviews and hindered development. The proposed update utilizes modern GIS technology to establish a codified Hillside Overlay Map and introduces more objective criteria for measuring building heights and wall placement. The goal is to streamline the review process, align with current fire and safety codes, and provide developers with a clear, predictable framework that eliminates the ambiguity found in the current development code.

The workshop also addressed specific design concerns, particularly regarding retaining walls and their aesthetic impact. Council members debated the merits of "living walls" versus traditional structures, with some expressing strong opposition to "monolithic" walls that disrupt the natural landscape. Staff clarified that while the ordinance aims to protect scenic vistas and manage environmental hazards like wildfire and erosion, it would not retroactively affect existing specific plans, such as Greer Ranch, which maintain their own customized standards. The Council emphasized balancing property rights with the city's long-term goal of guiding responsible hillside development without creating "impossible" scenarios for landowners/investors.

City Council - Workshop 4

On October 21, 2025, the City Council held its fourth workshop on this item and reached consensus to adopt a 25% slope threshold for Hillside Areas, replacing the inconsistent 20% standard. To provide clarity and

reduce bureaucratic hurdles, the Council directed staff to move away from city-wide application and instead implement a codified Hillside Area Map. By confining these standards to the hillside map, the city exempts properties in flatter areas from the regulatory burden and expense of unnecessary slope evaluations.

The Council emphasized that the updated ordinance should focus on objective design guidelines rather than restrictive prohibitions, aiming to balance property rights with the General Plan's goal of preserving natural hillside areas. Members specifically requested that staff differentiate between developed and undeveloped land, ensuring that existing homeowners aren't unfairly burdened while still maintaining the city's aesthetic integrity.

City Council - Workshop 5

On November 18, 2025, the City Council conducted its fifth workshop on this item, during which it identified several key policy directions and considerations, including that updates to retaining wall regulations should be applied citywide rather than limited to Hillside Areas; that standards should balance flexibility through defined options with sufficient specificity, particularly regarding retaining wall design; that retaining wall design standards should be implemented on a citywide basis; that color palettes should generally consist of muted tones with pre-established shades or blends to ensure a consistent and desirable aesthetic; that earthtone colors may be appropriate for hillside structures; that retaining walls exceeding six feet in height may, in certain circumstances, may be excessive citywide; that tiered retaining walls incorporating landscaping are preferred; that Keystone-style walls with integrated landscaping are also desirable; that landscaping is a priority for the Council, including the use of larger plant sizes earlier in the development process; that additional clarification from the Fire Department is needed regarding planting requirements within Fuel Modification Plans; and that distinctions between rural residential and tract home front-yard setbacks should be more clearly defined.

City Council - Workshop 6

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

ANALYSIS

The following analysis provides a comprehensive overview of the main proposed modifications that have been previously introduced and discussed at City Council, Planning Commission, and community workshops. These discussions have helped shape and refine the direction of the proposed amendments through policy guidance, technical input, and community feedback.

In addition to addressing these key substantive changes, this analysis also includes a summary of more minor, non-substantive modifications. These typically consist of clarifications, organizational improvements, and technical edits intended to enhance the overall clarity, consistency, and usability of the regulations without altering their underlying intent. Collectively, this document is intended to present a clear and transparent account of both the major policy considerations and the supporting refinements incorporated into the proposed

updates.

Summary of Code Changes - Chapters 8.20 and 15.52 (For Informational Purposes Only - Limited to City Council Review) (Attachments 7 and 8):

- **Updates to Section §8.20.030 “Declaration of Nuisance”**
 - Code Enforcement Division’s request to address revegetation of sloped areas after a catastrophic event.
 - Following a catastrophic event causing a loss of vegetation (i.e., wildfire, landslide, etc.), all impacted sloped areas of a subject parcel shall be revegetated to prevent further erosion pursuant to Section 16.28.080 “Landscaping Standards”.
- **Updates to Section §15.52.020 “Definitions” for Consistency**
 - Clarification of a definition for “Hillside Area” and “Hillside Site” for consistency with the proposed updates under Chapter 16.
 - “Hillside Area,” means those areas specifically designated in a Hillside Overlay as adopted by the City.

Summary of Code Changes - Title 16 (Attachments 1.3 and 1.4):

The proposed code amendments are intended to refine and improve the existing Hillside Development regulations by clarifying their applicability, eliminating redundancies, and revising specific code sections for greater clarity and internal consistency. In addition, the updates seek to streamline applicable review procedures to improve administrative efficiency while maintaining the original regulatory intent.

A summary of the proposed changes is provided below. For ease of reference, the modifications are organized in a manner that corresponds directly with the structure and sequence of the attached Ordinance Amendment, allowing for a clear comparison between the existing provisions and the proposed revisions:

- **Updates to Development Standards Table Updates: Tables 16.08-3, 16.08-4, and 16.14-2**
 - Addition of footnotes on where to find the maximum building height in the Code, and if the property is within a “Hillside Area”.
 - Updates Section §16.08.020 “Residential Districts General Development Standards”, Table 16.08-03 “Residential (Single-Family) Zones General Development Standards” refers to this footnote.
 - Updates Section §16.08.020 “Residential Districts General Development Standards”, Table 16.08-04 “Residential (Multi-Family) Zones General Development Standards” refers to this footnote.
 - Section §16.14.010 “Purpose”, Table 16.14-2 “Special Purpose Districts General Development Standards” refers to this footnote as well.
- **Updates to Section §16.18.080 “Height Measurement and Height Limit Exceptions”**

Background:

The current standard may be ambiguous as to when the City's Hillside Development standards apply. Relatedly, Chapter 16.24 could be misapplied beyond the maximum slope height criteria as identified under Section 16.18.080 "Height Measurement and Height Limit Exceptions". Staff is aware of an inconsistent interpretation regarding how an applicant would measure a slope under a 14.3 percent slope (one foot rise or fall in 7 feet). The measurement for a building pad would remain unchanged with these proposed modifications.

Prior Community, Planning Commission, and City Council Workshops:

Based on prior feedback, staff has proposed the following updates to establish consistent and objective standards for measuring building height on both sloped terrain and graded pads, regardless of the specific slope percentage. The intent is to eliminate ambiguity in height calculations and ensure a uniform application of development standards across varying site conditions. Under this framework, properties located outside of the designated Hillside Overlay area would be governed by the maximum building height limits established within the applicable underlying zoning district.

For properties located within the mapped Hillside Overlay area, a more restrictive standard would apply in recognition of the unique visual, environmental, and topographic components associated with steeper terrain. Specifically, a maximum building height of 30 feet would be imposed for development on slopes exceeding 25 percent. This approach reflects a balance between allowing reasonable development and preserving hillside character, scenic resources, and neighborhood compatibility. It is also consistent with prior policy direction, as both the City Council and Planning Commission have previously indicated support for incorporating this methodology into the proposed Ordinance amendment.

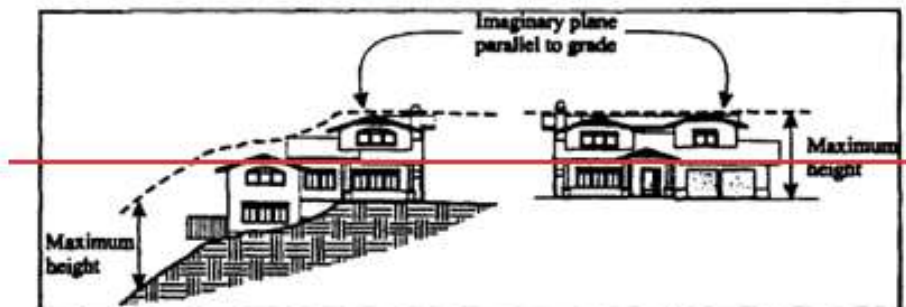
Proposed Modifications / Discussion:

Section 16.18.080 (Height Measurement and Height Limit Exceptions) of the Murrieta Municipal Code (MMC) is hereby amended to read as follows:

“All structures shall meet the following standards relating to height, except for fences and walls, which shall comply with [Chapter 16.22](#) (Fences, Hedges, and Walls).

A. Maximum Height. The height of structures shall not exceed the standard established by the applicable zoning district in Article II (Zoning Districts and Allowable Land Uses). or for structures within a Hillside Area under Section 16.24.020.A. In addition, the Maximum height for structures on a specific parcel shall be measured as follows: the vertical distance from finish grade to an imaginary plane located the allowed number of feet above and parallel to the finish grade.

**FIGURE 3-1
HEIGHT MEASUREMENT**



1. Establishing the high point and low point on the property as reference grade points as follows:

a. A measurement is taken from the lower of existing or proposed grade, 5 feet away from the lowest grade point around the structure in accordance with Figure 16.18-1. This point shall be the low reference grade point. The highest point anywhere on the structure may not exceed the elevation of that low grade point by more than the allowable height plus the grade differential between the low point of structure and high point of structure (excluding items as detailed under Section 16.18.080(B) (Exceptions to Height Limits)), but in such case where the actual grade differential exceeds 10 feet, only a maximum of 10 feet may be added to the maximum allowable height per the zone. The measurement is the difference in elevation between the highest and the lowest adjacent ground elevation surrounding the building.

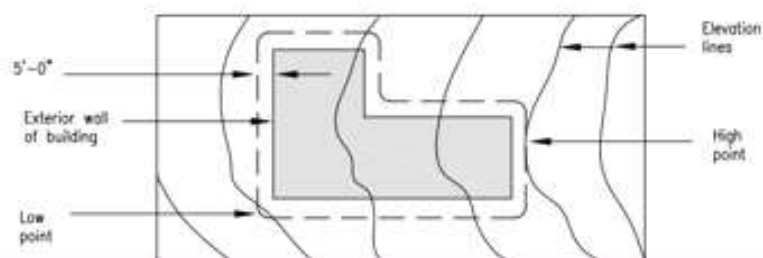
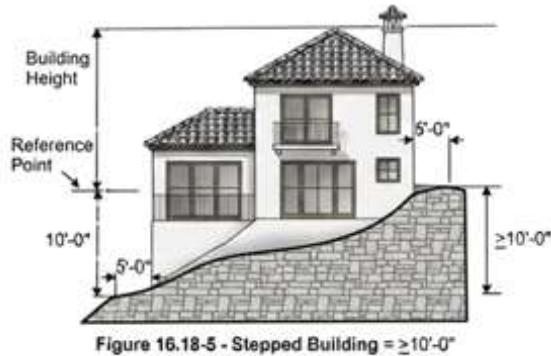
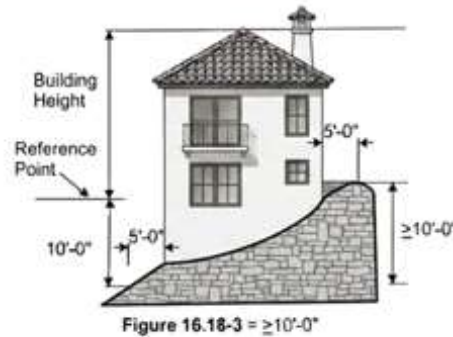
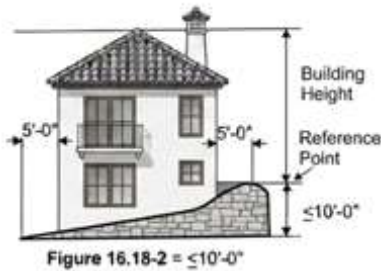


FIGURE 16.18-1

MEASUREMENT LOCATIONS

b. If the difference in elevation is 10 feet or less, the reference grade point is established at the highest adjacent ground elevation. See Figure 16.18-2. If the difference in elevation is greater than 10 feet, the reference grade point is established at 10 feet above the lowest adjacent ground elevation. See Figure 16.18-3. For stepped or terraced buildings, the building height is the overall height as illustrated in Figures 16.18-4 and Figure 16.18-5.

Height Measurement on a Slope



FIGURE(S) 16.18-2, -3, -4, -5 MEASUREMENT CRITERIA

c. For a project with a proposed pad configuration, the height of the structure measured by the vertical distance from the finished grade to the height of the roof line. See Figure 16.18-6.

Height Measurement on a Slope

- The structure height measurement is the difference in elevation between the highest and the lowest "Adjacent Ground Elevation" located five feet from the building. If the actual grade difference exceeds 10 feet, a maximum of 10 feet may be added to the maximum allowable height per the zone to accommodate areas such as crawl spaces. Additionally, staff is proposing, under this scenario, chimneys, vent pipes, etc., would be permitted to

exceed this limit up to 15 percent as provided currently under MMC §16.18.080.C. - "Exceptions to Height Limits." This approach reduces grading in some respects and promotes a grading design that follows natural grades.

- If the difference in elevation is 10 feet or less, the reference grade height is established at the highest "Adjacent Ground Elevation". **Figures 16.18-2 and 16.18-4.**
- If the difference in elevation is greater than 10 feet, the reference grade height is established at 10 feet above the lowest "Adjacent Ground Elevation". **Figures 16.18- 3 and 16.18-5.**
- Provides some flexibility to account for some subterranean areas that one would encounter on a sloped property (i.e., crawl space areas below a stem wall).
- Provides some flexibility for someone to have a covered elevated deck or balcony within this height envelope.
- For where there are steeper slopes, where the elevation difference is 10 feet or greater, the measurement envelope tightens as height would pull back with the slope. This would minimize the overall height.
- For gentler slopes where there is a differential of less than or equal to 10 feet, it accounts for slight variation at a building site.
- On a very steep lot, it may limit the height of the building on the highest uphill side.

Building Pad

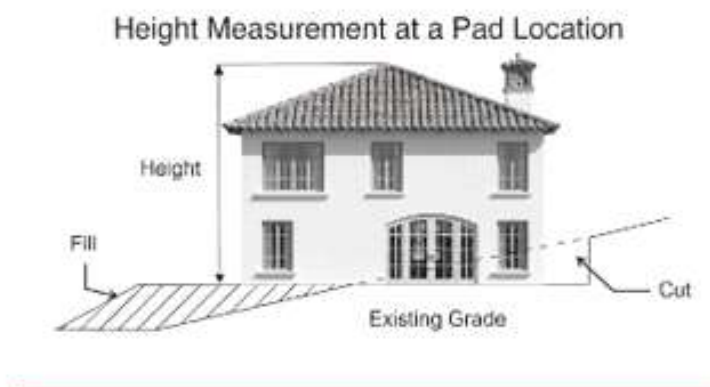


FIGURE 16.18-6
MEASUREMENT WITH PAD CONFIGURATION

- For a proposed building pad location, the height of the building is the vertical distance from the finished grade to the height of the roof line.
- The finished grade is a known metric and easily identifiable element.
- This mirrors the current standard, and it is a simple approach for both a project applicant and City staff.

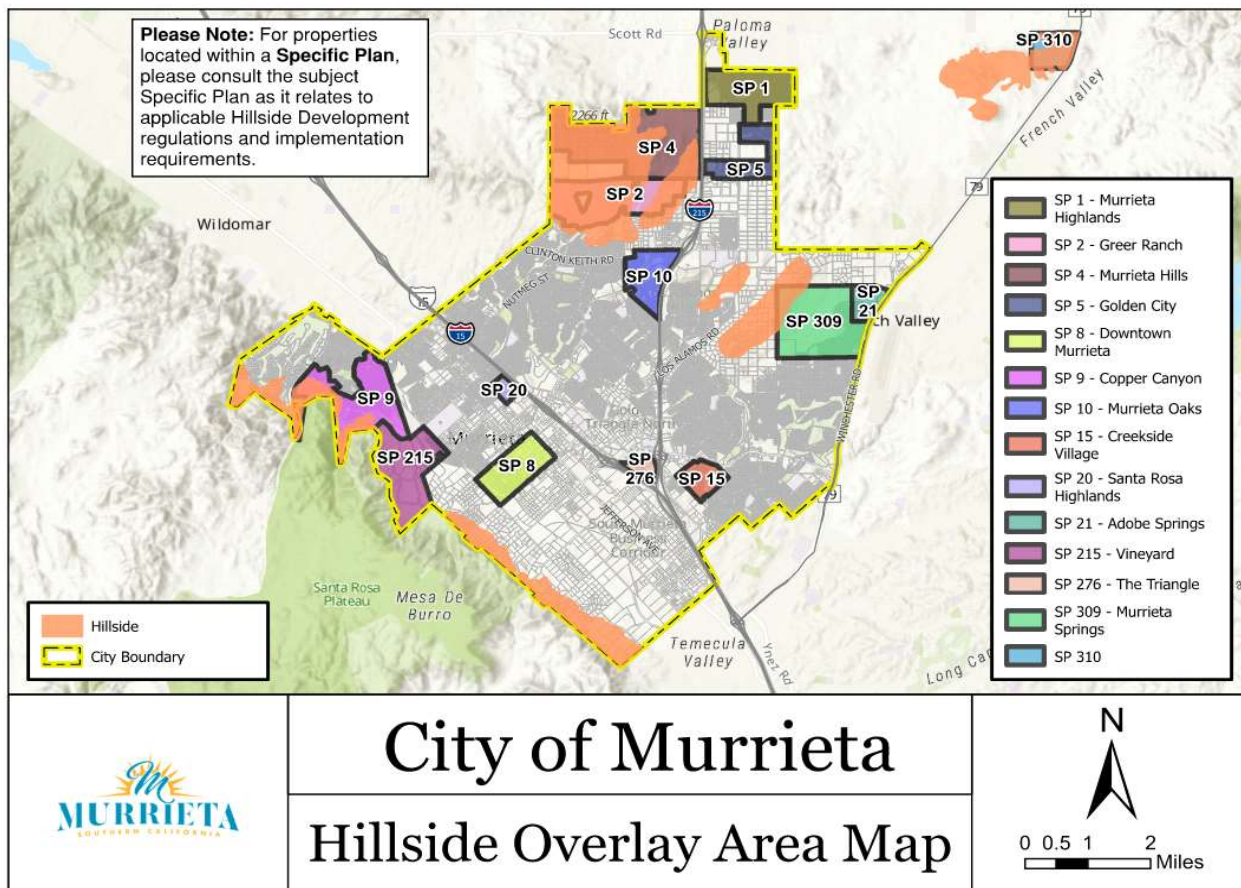
- This is a relatively easy standard for an applicant to show compliance with elevations and height measurements on a standard set of plans.

Basement Definition

- Definition needed per City's Building Official
- Plays a key role in building and life-safety compliance under the California Building Standards Commission codes (including the California Building Code and Residential Code). Basement classification can affect requirements for:
 - Emergency escape and rescue openings (egress windows)
 - Fire-resistance and separation
 - Ventilation and natural light
 - Ceiling heights and habitability standards
- **Updates to Section §16.22.050 "Measurement of Fence or Wall Height"**
 - Provides clarification that the measurement criteria under Section §16.18.080 (Height Measurement and Height Limit Exceptions), which is to utilize the standards under Chapter 16.24 for parcels located within the Hillside Overlay.
 - Provides parameters for when there is a difference in the ground level between two adjacent parcels and how that is determined.
- **Minor Modifications to Section §16.24.010 "Purpose"**
 - Minor typographical updates with capitalization and italicization are provided to reference a given definition.
- **Updates to Section §16.24.020 "Applicability"**

Background:

The issue is MMC §16.24.060.A under "Hillside Slope Categories" applies the "Hillside Condition" to all natural slopes within the threshold of 25% slope up to 50% slope throughout the City (no development is permitted on slopes over 50%). Staff understands that the intent of this original criteria was for it to be limited to mapped areas (see below image and Attachment 3) within the Hillside Overlay, not on a citywide basis. The other issue is that this map was never codified within the MMC, which should have been the case to facilitate project review by both City staff and project applicants.



Prior Community, Planning Commission, and City Council Workshops:

Staff recommended refining the applicability of the Hillside Overlay standards so that they apply only to specifically mapped areas with slopes of 25 percent or greater, rather than citywide. This direction is consistent with feedback provided during the March 29, 2022, City Council annual priority goals workshop and was reaffirmed at Council Workshop 4, where the Council confirmed that a 25 percent slope is the appropriate threshold for defining hillside areas, as opposed to a 20 percent threshold where that was referenced once in the MMC. To promote consistency and accuracy in project review, staff further recommended using the City's GIS platform to delineate these areas based on two-foot contour intervals. This methodology establishes a precise and objective basis for determining where hillside regulations apply, thereby reducing ambiguity for both applicants and staff.

Additionally, members of the public recommended incorporating cross-references to applicable Specific Plans to ensure that any relevant hillside development standards are clearly identified. This approach, also confirmed at Council Workshop 4, would improve accuracy, where Specific Plan provisions may modify or supplement the base hillside regulations. Overall, feedback from prior workshops was positive, with a general consensus that formalizing the overlay through mapping, along with integrating cross-referencing to the Specific Plan, would enhance clarity, streamline implementation, and provide a more consistent framework for evaluating development proposals.

Proposed Modifications / Discussion:

Staff proposes the implementation of the following modifications, to bring clarity to the issue:

- Utilization of Geographic Information System (GIS) for identification of mapped “Hillside Areas”.
- Updates to MMC which address the existing discrepancy with a 20 percent slope being referenced, versus the 25 percent slope as described for the Hillside Overlay Area. This has been a key issue of misunderstanding and applicability in the past with respect to project review.
- Updates to Section §16.24.020. The updates help to clarify that the hillside overlay criteria is to only apply to those areas that are located within the Hillside Overlay.

• **Updates** **to** **Section** **§16.24.030** **“Definitions”** **Removal**
of Average Slope Calculation

Background:

As part of the definitions updates, it has been brought to staff’s attention that the following calculation may have been misinterpreted or misapplied for determining a slope.

~~Slope, Average. The method of determining average natural slope of land using the following equation:
— $I \times L \times .0023$ where
—— A~~

~~I = Contour interval in feet.~~

~~L = Combined length in feet of contour lines measured on the project site.~~

~~.0023 = A constant that converts square feet into acres and expresses slope in percent.~~

~~A = Project site area in acres.~~

Prior Community, Planning Commission, and City Council Workshops:

At prior Community Workshops, Planning Commission workshop, and City Council workshops, including most recently and reconfirmed at Council Workshop 4, the use of Geographic Information Systems (GIS) mapping was discussed in detail as a preferred method to replace the traditional average slope calculation approach. This shift reflects an effort to improve consistency, accuracy, and efficiency in evaluating hillside conditions by relying on standardized, City-maintained spatial data rather than project-by-project calculations that may vary depending on methodology or interpretation. The use of GIS allows for slope analysis derived from high-resolution contour data, providing a more objective and transparent basis for determining whether a property meets applicable hillside thresholds.

With this proposed modification, the City recognizes that unique site conditions or data limitations may occasionally result in discrepancies or disputes regarding mapped slope classifications. In such cases, the City Engineer may authorize the use of an alternative technical method to verify slope conditions. This may include preparing a detailed analysis using a CAD-based program or a similar tool that applies to the conventional average slope formula. Allowing this flexibility ensures that applicants have a clear and equitable path to demonstrate site-specific conditions while maintaining the overall intent of standardized slope evaluation procedures.

Proposed Modifications / Discussion:

The proposed modifications would eliminate the existing average slope formula from the MMC. As noted in the introduction to this discussion item, advances in technology have rendered the formula largely unnecessary, as slope conditions can now be accurately and efficiently mapped using the City's Geographic Information Systems (GIS) with two-foot contour data. This approach provides a more consistent, streamlined method for evaluating hillside conditions, reducing calculation variability and improving clarity for both applicants and reviewing staff. By relying on standardized GIS-based mapping, the review process becomes more transparent and less time-intensive. The City acknowledges that there may be instances where discrepancies arise or where site-specific conditions are not fully captured by the mapped data. In such cases, the City Engineer may authorize the use of an alternative technical analysis to verify slope conditions. This may include using a CAD-based program or a similar analytical tool that applies the traditional average slope formula. This provision ensures flexibility in addressing unique circumstances while maintaining the overall intent of simplifying and modernizing the slope evaluation process.

- **Other Definition Updates:**

- Provides new definitions consistent with other portions of the MMC, including "City", "City Engineer", "City Manager", and "Director".
- Corrects/updates existing definitions consistent with other portions of the MMC.
- Updates provided to Figure 16.24-1 (Slope Examples) with the inclusion of a new 4:1, 25 percent slope example and clearer graphics.

- **Updates to Section §16.24.040 "Application Submittal Requirements"**

- Updates to Section §16.24.040. This covers existing standards for the submittal of a natural features map, a conception grading plan, a drainage map, a slope analysis map, slope profile drawings, data sources, provisions for a geotechnical report, objective design guidelines, criteria for when no grading is required, and additional information that may be needed.
- The proposed language shifts the standard from a subjective interpretation to clearly defined, objective criteria. This approach promotes consistency and predictability in application and review and aligns with recent State housing legislation that requires jurisdictions to rely on objective standards in evaluating housing development proposals.

- **Updates to Section §16.24.050 "Project Review Procedures"**

- Cross-referencing to the Hillside Overlay Map for applicability.
- Clarification of "Commission" to mean "Planning Commission".
- Updates with referencing to objective criteria consistent with recent State housing legislation, versus existing subjective criteria and requirements.

E. Walls and Fences.

TABLE 16.24-3 RETAINING WALLS – WITHIN HILLSIDE AREAS	
Criteria	
<u>Up to Three Feet Within Front or Street-Side Setback</u>	<u>Walls within the required front yard or street-side setback shall not exceed three feet in height, shall be separated by a minimum of three feet, and shall incorporate landscaping to screen the wall(s).</u>
<u>Line-of-Sight Locations/Visibility Triangles</u>	<u>For any required line-of-sight locations, or visibility triangles, a maximum of thirty inches in height shall be permitted.</u>
<u>Up to Six Feet.</u>	<u>Where multiple terraced retaining walls are designed to retain larger slopes, they shall not exceed six feet in height. Refer to Figure 16.24-2.</u>
<u>Over Six Feet</u>	<u>Prohibited, unless the applicant seeks a waiver or modification. The director may waive or modify the requirements of this standard if the following findings can be made:</u> <u>That the waiver of modification, as applied to the project, will not adversely impact adjoining properties; and</u> <u>That the waiver or modification will not be contrary to the public health, safety, and general welfare; and</u> <u>That the waiver or modification will ensure that the retaining wall incorporates additional screening measures where a wall would be visible from the public right-of-way, including, but not limited to, the use of earth-tone colors and/or landscaping, in order to maintain visual compatibility with the surrounding hillside area.</u>
<u>Over Six Feet and as Part of the Structure.</u>	<u>Walls that are an integral part of the primary structure may exceed six feet in height; however, their visual impact shall be mitigated through contour grading and landscape treatment. Refer to Figure 16.24-3.</u>
<u>Required Offset</u>	<u>At six feet in height, a retaining wall shall be separated by a minimum of six feet horizontally. Refer to Figure 16.24-2.</u>

Prior Community, Planning Commission, and City Council Workshops:

Updating the citywide retaining wall standards is an important topic for all stakeholders involved. This topic has been covered at numerous points during the outreach process as it relates to this hillside updates project. Most recently, it was covered in detail at Council Workshops 5 and 6. Some of the takeaways from Council Workshop 5 was that flexibility was needed with defined options, while providing some specifics as it relates to retaining walls; colors should generally be muted as they relate to retaining walls, and exact shades or blends should be defined upfront to ensure a consistent and desirable appearance; retaining walls over six feet in height may be too high in some circumstances; having landscaping retaining wall tiers is a desired design element; landscaping is important for the Council; and establishment of larger planting sizes earlier in the development process is a desired outcome.

At Council Workshop 6, the City Council determined that a comprehensive, citywide amendment to the retaining wall standards should not be included as part of the proposed hillside code updates. The Council expressed that the overall retaining wall updates present a broader and more complex set of issues, often involving site-specific constraints, engineering considerations, and neighborhood compatibility, that warrant a more focused and standalone evaluation apart from this code amendment. As such, any substantive overhaul of retaining wall regulations will be deferred to a future effort, where these unique circumstances can be more thoroughly studied and addressed as a separate topic.

The workshop yielded several important policy considerations to help guide future code development. Notably, the Council emphasized the need for an administrative review process for retaining walls exceeding six feet in height, if certain circumstances warrant the additional height. This waiver/modification process mirrors the City's current approach, as described in Section 16.22.090 (Authority to Waive or Modify Requirements) of the MMC, as it relates to fencing standards. This approach would provide an opportunity to evaluate potential visual, structural, and environmental impacts on a case-by-case basis in hillside areas.

Additionally, the Council directed staff to incorporate illustrative examples and design options for wall treatments within the Code, which has been provided. The intent is to promote higher-quality design, encourage aesthetic consistency, and mitigate the visual massing of taller retaining walls through the use of muted colors, articulation, landscaping, and other context-sensitive design features.

Proposed Modifications / Discussion:

The proposed standards would apply only within designated Hillside Areas. The table above can be summarized as follows:

- Front and street-side setbacks: Retaining walls would be limited to a maximum height of 3 feet. This maintains the existing standard while extending it to explicitly include street-side setbacks.
- Line-of-sight areas: A maximum height of 30 inches would be required to preserve visibility and address safety concerns. This reflects current engineering practice and is clarified here for consistency.
- Terraced walls: Individual retaining walls within a terraced configuration would be limited to 6 feet in height, consistent with existing regulations; however, there is a new waiver/modification process if the wall needs to exceed this height restriction.
- Walls exceeding 6 feet: Retaining walls over 6 feet in height may be permitted when integrated into a structure; however, their visual impact must be mitigated through contour grading and appropriate landscaping. This approach aligns with current standards.
- Horizontal separation: Retaining walls that are 6 feet in height must be separated by a minimum horizontal distance of 6 feet. This requirement remains unchanged from the current code.
- Design criteria reference: The final row provides a cross-reference to the uniform retaining wall

design standards described earlier in this staff report.

Other General Updates to Section

- Updates to Table 16.24-1 (Hillside Development Standards) for criteria.
- Updates to site design and roadway placement for consistency with the current California Fire Code and City standards.
- Minor updates for cross-lot profiles, which cover the building envelope for a structure on a downhill lot, the building envelope for an uphill lot, and the building envelope at cross-lot slopes.
- Minor updates for walls and fencing criteria. Refers to Section §16.22.070.F (Retaining Walls) for additional criteria and for consistency with citywide design standards for retaining walls.
- Cross-referencing for consistency with citywide landscaping standards at sloped areas and use of drought-tolerant and fire-resistant landscaping materials.
- Updates for grading techniques at hillside areas, drainage improvements at hillside areas, and for public safety.
- **Updates to Section §16.24.070 Hillside Development Guidelines**
 - Minor updates for the site design and building placement of a residence at a site on a slope. Buildings are encouraged to be placed parallel to the slope, and not counter to it, which is the current guidance.
 - Minor updates to roadway placement at hillside locations. Placement is encouraged to work with the terrain and not counter to it. These are the current parameters.
 - Minor updates to grading techniques examples, which relate to minimal grading, contour grading, landform grading techniques, as well as drainage improvements in a more objective and naturalized manner.
 - Cross-referencing of unifying standards for all zones with respect to landscaping on sloped areas.
- **New Section §16.24.080 “Exceptions”**
 - Clarifying that the Chapter does not apply to residential accessory structures or accessory dwelling units on parcels with existing development approvals, provided that the proposed construction does not require a retaining wall and complies with the applicable standards and exemptions outlined in Sections 16.44.150, 16.44.160, and 16.02.020.
- **New Section §16.24.090 “Reserved”**
 - Reserved blank section for future hillside updates/amendments.
- **New Section §16.24.100 “Hillside Overlay Map”**
 - Codifies the Hillside Overlay Map within the MMC. This has been missing to this point, which has made it challenging for City staff and project applicants to reference.
 - Provided that these updates are approved, staff will work with Code publisher on uploading a high-resolution image.
 - This information will also be incorporated into the City’s online Geographic Information System

(GIS) as a layer for future reference, which will assist City staff and project applicants.

Conclusion

The changes proposed in this update are intended to reconcile the various code sections and achieve consistency throughout the Development Code (Title 16), as well as the Municipal Code (Chapter 15.52) for hillside standards. With the implementation of these updates, clarity will be provided to residents and project applicants on which standards apply and where, addressing the current lack of clarity regarding hillside development. Lastly, with the application of the proposed modifications covered in this ordinance amendment, it will continue to preserve the visual and aesthetic quality of hillsides and ridgelines as viewed from the surrounding community and avoid and minimize site disturbance at these locations to the extent feasible.

NOTICING

The Project was noticed in compliance with Section 16.76 of the Development Code, including sending the notice to all properties within the Hillside Area Overlay, and publication occurred within a newspaper a minimum of 10 days prior to the hearing and posting of the agenda (Attachment 8).

ATTACHMENTS

- Attachment 1 - Hillside Updates Resolution
- Attachment 2 - Exhibit A - Hillside Updates Ord. Clean Title 16
- Attachment 3 - Exhibit B - Hillside Updates Ord. Redline Title 16
- Attachment 4 - Hillside Updates - 15162 Consistency Analysis
- Attachment 5 - Hillside Updates - Subsequent NOD
- Attachment 6 - Ord. Clean Title 8 and 15 (For Info. Purposes Only)
- Attachment 7 - Ord. Redline Title 8 and 15 (For Info. Purposes Only)
- Attachment 8 - Hillside Updates PC Public Notice - May 13, 2026



CITY OF MURRIETA NOTICE OF CONTINUANCE OF A PUBLIC HEARING

NOTICE IS HEREBY GIVEN pursuant to Gov. Code 54955.1, that the public hearing scheduled for the Regular Meeting of the Planning Commission of the City of Murrieta which occurred on May 13, 2026, is continued to Wednesday, July 8, 2026, at 6:00 p.m., or as soon thereafter as the matter may be heard, in the Council Chamber, located at 1 Town Square, Murrieta, CA 92562.

REINTRODUCTION OF DEVELOPMENT CODE AMENDMENT (DCA-2021-2396) “HILLSIDE UPDATES”: The “Project” is a request by the City of Murrieta to the City’s Development Code (Title 16) for the purpose of revising and updating Chapters 16.08, 16.14, 16.18, 16.22, 16.24, 16.28, and to add new Sections 16.24.080, entitled “Exceptions”, 16.24.090, entitled “Reserved”, and 16.24.100, entitled “Hillside Overlay Map”.

On May 13, 2026, the Planning Commission continued this item (to date uncertain) as it relates to the proposed Hillside Development Code Amendment (DCA-2021-2396) to allow staff to refine definitions related to developed (“disturbed” context) and undeveloped (“undisturbed” context) for hillside areas, which have since been incorporated into the draft Ordinance. Staff also incorporated stakeholder-recommended revision(s) replacing “encourage” with “reasonably consider” in Section 16.24.010 (Purpose). Lastly, staff is clarifying within Table 16.24-2 by incorporating language in response to a comment raised during the May 13th Planning Commission hearing regarding the rounding of slope calculations for the classification of a hillside condition. The revision specifies that slope percentages used to determine whether a hillside condition exists shall not be rounded to the nearest whole number.

Environmental Determination: The proposed code amendment has been evaluated pursuant to the California Environmental Quality Act (CEQA), and it has been determined that the amendments will have no significant adverse impacts on the environment, as it is simply clarifying and correcting existing hillside standards. These standards were originally evaluated under the adopted Negative Declaration for implementation of the Comprehensive Development Code on October 28, 1997, and further evaluated for consistency with the Murrieta General Plan EIR and Subsequent EIR (SCH No. 2010111084), certified July 7, 2020, by the City of Murrieta. The environmental documentation can be viewed at <https://www.murrietaca.gov/290/Public-Notices>

Any person may either submit written comments to the Planning Commission before the hearing or may appear and be heard before the Planning Commission at the time of the hearing. If you challenge the City’s action on this project in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission at or prior to the public hearing. The environmental finding, along with the proposed project application, may be reviewed at the Planning Division Monday – Friday from 8:00 a.m. to 5:00 p.m.

It is the intention of the City to comply with the Americans with Disabilities Act (ADA) in all respects. Upon request, this Agenda will be made available in appropriate alternative formats to persons with disabilities. If you require modification, accommodation or special assistance to

attend or participate in this meeting, please contact the City Clerk Department at (951) 461-6030 at least 48 hours prior to the meeting date. The 48-hour notification period will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The staff contact for the project is Chris Tracy, AICP Senior Planner at (951) 461-6061 or by email Planning@murrietaca.gov

/s/

Tanya Wells

Planning Commission Secretary

Dated: XXXXXX XX, 2026

Published: XXXXXX XX, 2026