

Final Action

- ☒ City Council
☐ Planning Commission



Planning Commission Meeting Agenda Report

Subject: The Murrieta Hills Specific Plan Amendment and related applications
Date: May 12, 2021
Prepared by: Jarrett Ramaiya, City Planner
Reviewed by: Dennis Watts, Senior Planner
Approved by: Ivan Holler, Assistant City Manager

RECOMMENDATION

That the Planning Commission:

1) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE FINAL ENVIRONMENTAL IMPACT REPORT (SCH# 2014-031045) FOR THE MURRIETA HILLS PROJECT LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE WEST, IN THE COUNTY OF RIVERSIDE, CALIFORNIA. Certifying the Environmental Impact Report (SCH 2014-031045) including Findings of Fact and Statement of Overriding Considerations, adoption of the Mitigation Monitoring and Reporting Program pursuant to the California Environmental Quality Act ("CEQA") Guidelines; and

2) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL APPROVE GENERAL PLAN AMENDMENT 012-3165 LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE WEST, AND ON APPROXIMATELY 187 ACRES OF LAND LOCATED IMMEDIATELY SOUTH OF THE MURRIETA HILLS SPECIFIC PLAN PROJECT AREA OWNED BY THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY, ("RCA") IN THE COUNTY OF RIVERSIDE, CALIFORNIA. Approving General Plan Amendment No. 012-3165, an amendment to the City of Murrieta General Plan 2035, for both the Murrieta Hills Specific Plan project area and approximately 187 acres of land located immediately south of the Murrieta Hills Specific Plan project area owned by the Riverside County Regional Conservation Authority, that proposes to change the current Riverside County Land Use Designations of Rural Mountainous ("RM"), Rural Community-Estate Density Residential ("RC-EDR") and Rural Community -Low Density Residential ("RC-LDR") to City of Murrieta General Plan Land Use Designations of Single Family Residential, Mixed-Use, Community Commercial and Parks and Open Space and designate McElwain Road on the Murrieta Circulation Element from Keller Road to the southern terminus of the Murrieta Hills Project site; and



3) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING DEVELOPMENT AGREEMENT 2018-1631 LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE WEST, IN THE COUNTY OF RIVERSIDE, CALIFORNIA. Approving Development Agreement No. 2018-1631, a contractual agreement between the City of Murrieta and the Applicant, Pulte/BP Murrieta Hills LLC, that relates to the timing and conditions of approval regarding the Murrieta Hills Project; and

4) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING SPECIFIC PLAN AMENDMENT 012-3164 LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE EAST, MURRIETA, CALIFORNIA. Approving Specific Plan Amendment No. 012-3164, the Murrieta Hills Specific Plan Amendment that proposes a maximum of 750 dwelling units, approximately 18 acres of commercial uses, 12 acres of mixed use development that includes a maximum of 193 dwelling units, a 4.6 acre neighborhood park, approximately 9 acres of pocket parks, a 2.7 acre HOA community center, 37 acres of linear natural open space and approximately 608 acres of natural open space that will be dedicated to the Riverside County Regional Conservation Authority ("RCA"); and

5) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE APPROVING CHANGE OF ZONE 013-3312 LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE WEST, AND ON APPROXIMATELY 187 ACRES OF LAND LOCATED IMMEDIATELY SOUTH OF THE MURRIETA HILLS SPECIFIC PLAN PROJECT AREA OWNED BY THE WESTERN RIVERSIDE COUNTY REGIONAL CONSERVATION AUTHORITY, (RCA) IN THE COUNTY OF RIVERSIDE, CALIFORNIA. Approving Change of Zone 013-3312 for both the Murrieta Hills Specific Plan project area and the property owned by the Riverside Regional Conservation Authority from the current County of Riverside zoning designation of Rural Residential (RR) and to pre-zone the Specific Plan Project Area into City of Murrieta zoning designations of: Single Family Residential ("SF-2"), Estate Residential ("ER-3") Mixed Use ("MU") Community Commercial ("CC") and Open Space ("OS"); and

6) Adopt a resolution entitled: A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MURRIETA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN RESOLUTION APPROVING TENTATIVE TRACT 35853 LOCATED ON APPROXIMATELY 972 ACRES WEST OF I-215, SOUTH OF KELLER ROAD, IMMEDIATELY NORTH OF THE GREER RANCH COMMUNITY, ABUTTING THE CITIES OF MENIFEE TO THE NORTH AND WILDOMAR TO THE WEST, MURRIETA, CALIFORNIA. Approving Tentative Tract Map 35853 that proposes a total of 597 lots including: 557 single family lots; 1 mixed use lot; 1 commercial lot; 1 neighborhood park lot; 11 HOA park lots; 17 water quality lots and 9 open space lots, which includes those requirements and conditions necessary to ensure that the project is implemented in a manner consistent with State law and City regulations as set forth in the Resolution of Approval.

PRIOR ACTION/VOTE



On April 28, 2021, the Planning Commission continued the item to May 12, 2021 (Vote: 5-0).

PROJECT DESCRIPTION

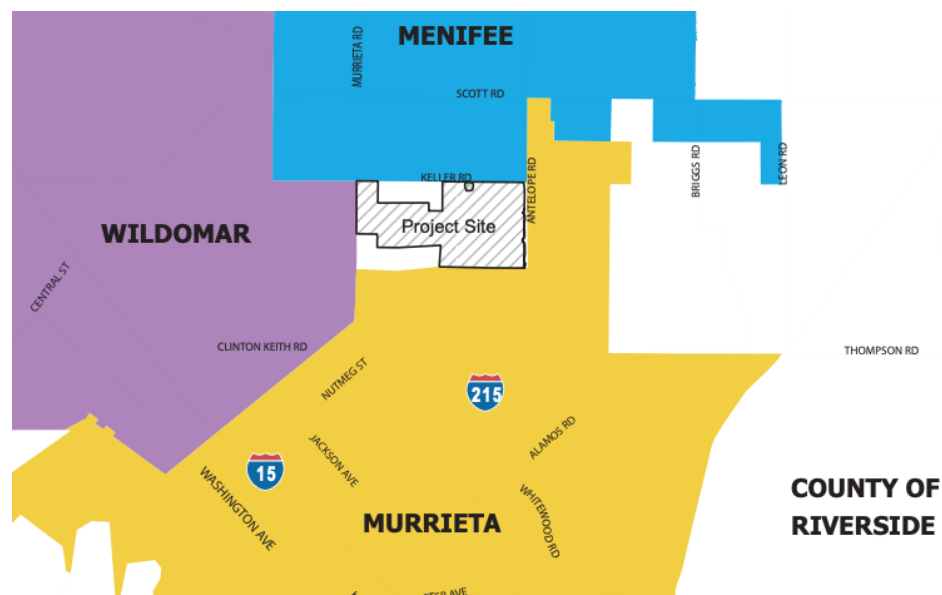
Application Types: General Plan Amendment (012-3165)
Specific Plan Amendment (012-3164)
Change of Zone (013-3312)
Tentative Tract Map 35853
Development Agreement 2018-1631

Applicant: Pulte/BP Murrieta Hills LLC

Property Owner: Pulte/BP Murrieta Hills LLC

Site Area: 972 acres

Project Location: The Project is located west of I-215; south of Keller Road; immediately north of the Greer Ranch community; abutting the cities of Menifee to the north, Wildomar to the west and Murrieta to the south and east.



Site General Plan/Zoning: The Project site is currently within the County of Riverside and includes General Plan designations of Rural Mountainous (RM), 10-acre minimum lot size, Rural Community - Low Density Residential (RC-LDR), 1/2-acre minimum lot size and Rural Community - Estate Density (RC-EDR), 2-acre lot size. The zoning on the property is currently Rural - Residential (RR), 1/2 - acre minimum lot size.



Adjacent Zoning/Land Use:

North: City of Menifee Zoning: RR-2 (2-acre minimum lot size), RR-1/2 (1/2-acre minimum lot size) and EDC-SG (Economic Development Corridor-Southern Gateway); Scattered single family homes

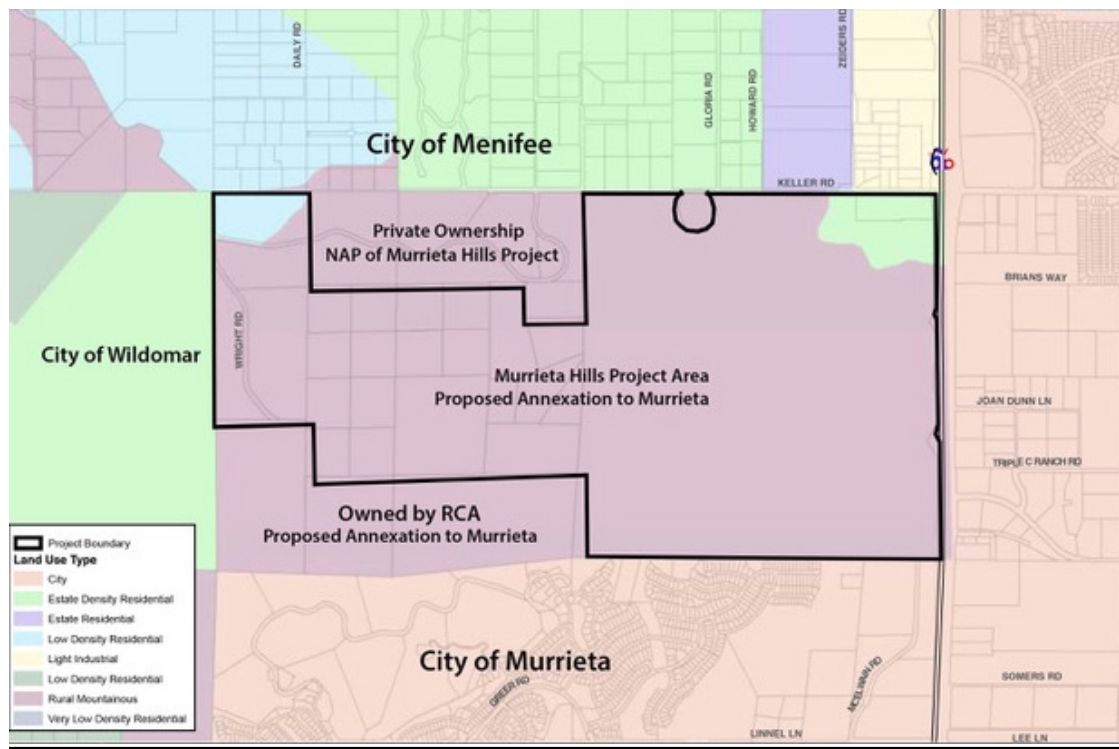
South: Greer Ranch Development: SP 2, Open Space and Rural-Residential Zoning

East: City of Murrieta Office Research Park Zoning

West: City of Wildomar Zoning; Estate Density Residential (2-acre minimum lot size) and RT (Mobilehome Subdivision zoning)

Project Area

As seen on the exhibit on the next page, there are two areas adjacent to the project site that are not a part of the Murrieta Hills Project. The area southwest of the project site is owned by the Western Riverside County Regional Conservation Authority (RCA) and, while not a part of the Murrieta Hills Specific Plan, will be included in the Murrieta Hills General Plan Amendment and the Zone Change and will be part of the Local Agency Formation Commission (LAFCO) sphere of influence amendment and annexation. The area northwest of the Project site labeled as Private Ownership, is not a part of the Murrieta Hills Specific Plan, nor will it be included in the LAFCO sphere of influence amendment and annexation. That area contains approximately 130 acres that was subdivided several years ago that are owned by several different landowners. This area is very steep, vacant and is designated Rural - Mountainous, 10-acre minimum lot size, on the Riverside County General Plan. The Project Applicant met with some of the landowner's years ago with the hope of including this acreage within the SP and annexation, however the landowners were not interested in joining the Murrieta Hills Project at that time.



BACKGROUND

The original Murrieta Hills Specific Plan (MHSP) was approved by the City of Murrieta in March 1995. That project, SPM-4, included 1,585 dwelling units, a 184-acre memorial Park, a 10-acre elementary school site, a 10-acre commercial site and proposed approximately 359 acres of open space. The MHSP also included an application for annexation into the City of Murrieta and was approved by the City subject to the completion of annexation proceedings by LAFCO. Also included was a conditional use permit for the development and operation of the Rose Hills Memorial Park. Although the MHSP was approved by the City, the Applicant, at the time, chose not to pursue annexation to the City and the property remained within unincorporated Riverside County. A copy of the original specific plan land use plan is illustrated on the next page.

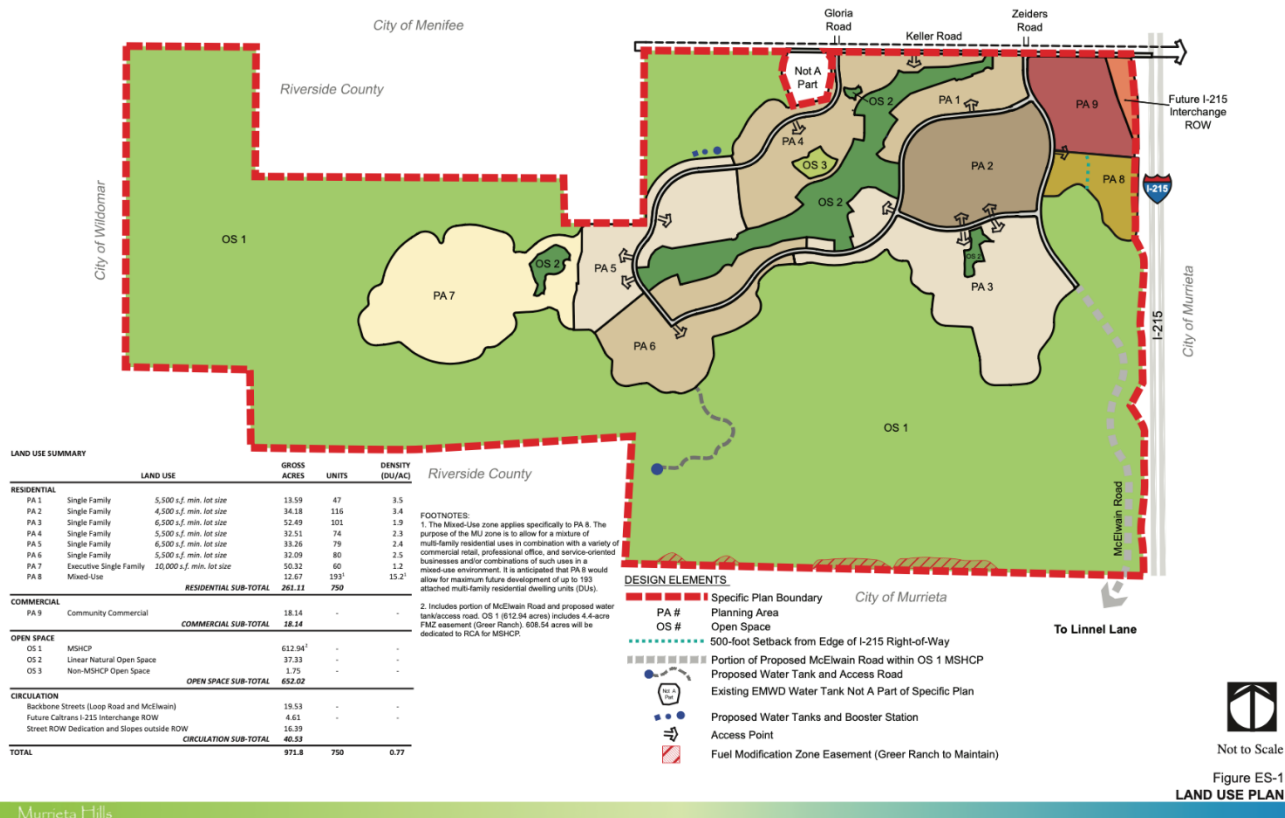


Figure 1-3
1995 SPECIFIC PLAN SPM-4 LAND USE PLAN

A subsequent proposed amendment to the approved specific plan was submitted to the City in 2005. However, due to the economic downturn and then-current market conditions, the proposed amendment was withdrawn.

The current SPA and associated applications were submitted to the City in 2014. The proposed SPA reduces the total number of residential units from 1,585 to 750, increases the amount of preserved and open space areas from 359 acres to 652 acres and changes the development concepts and land use mix. In addition, the current project includes construction of an extension of McElwain Road to connect Keller Road with Linnel Lane to provide additional access. The Project also provides on-site right of way for the future Keller Road Interchange.

The proposed SPA land use plan is illustrated on the next page:

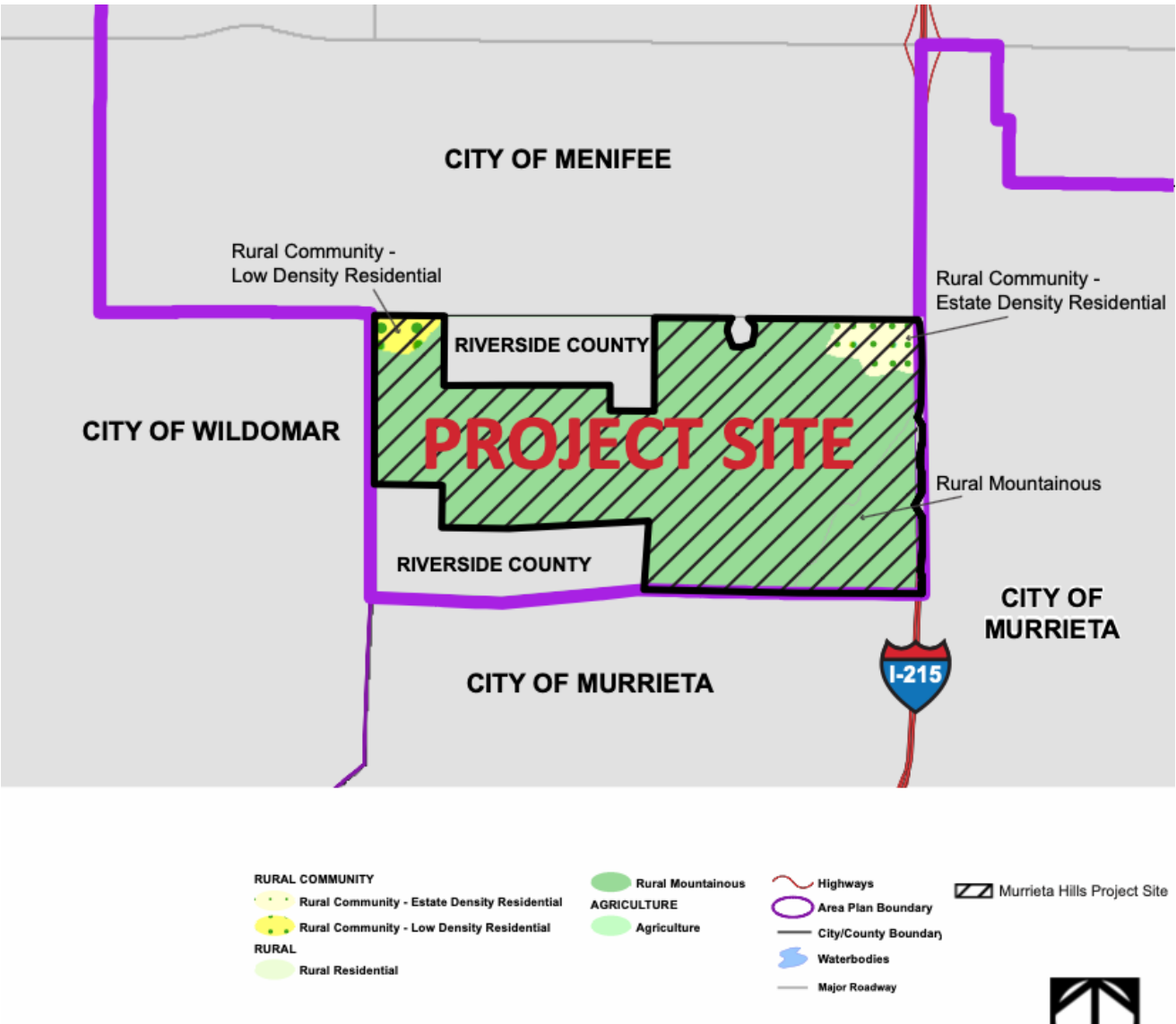


The proposed specific plan amendment includes a total of 9 planning areas, 7 of which include planned single family homes (Planning Areas 1-7), 1-18-acre commercial planning area (Planning Area 9) and 1 mixed use planning area (Planning Area 8). A total of 557 single family homes ranging in minimum lot sizes from 4,500 square feet to 10,000 square feet are proposed along with a mixed-use planning area (Planning Area 8) that could include a maximum of 193 multi-family residential units, commercial or office use land uses. The Project includes 3 Open Space Planning areas that total 652 acres of open space including approximately 608 acres of natural open space that will be dedicated, in fee, to the Western Riverside County Regional Conservation Authority. Project development is planned over three (3) phases and total buildout is anticipated to take ten (10) years.

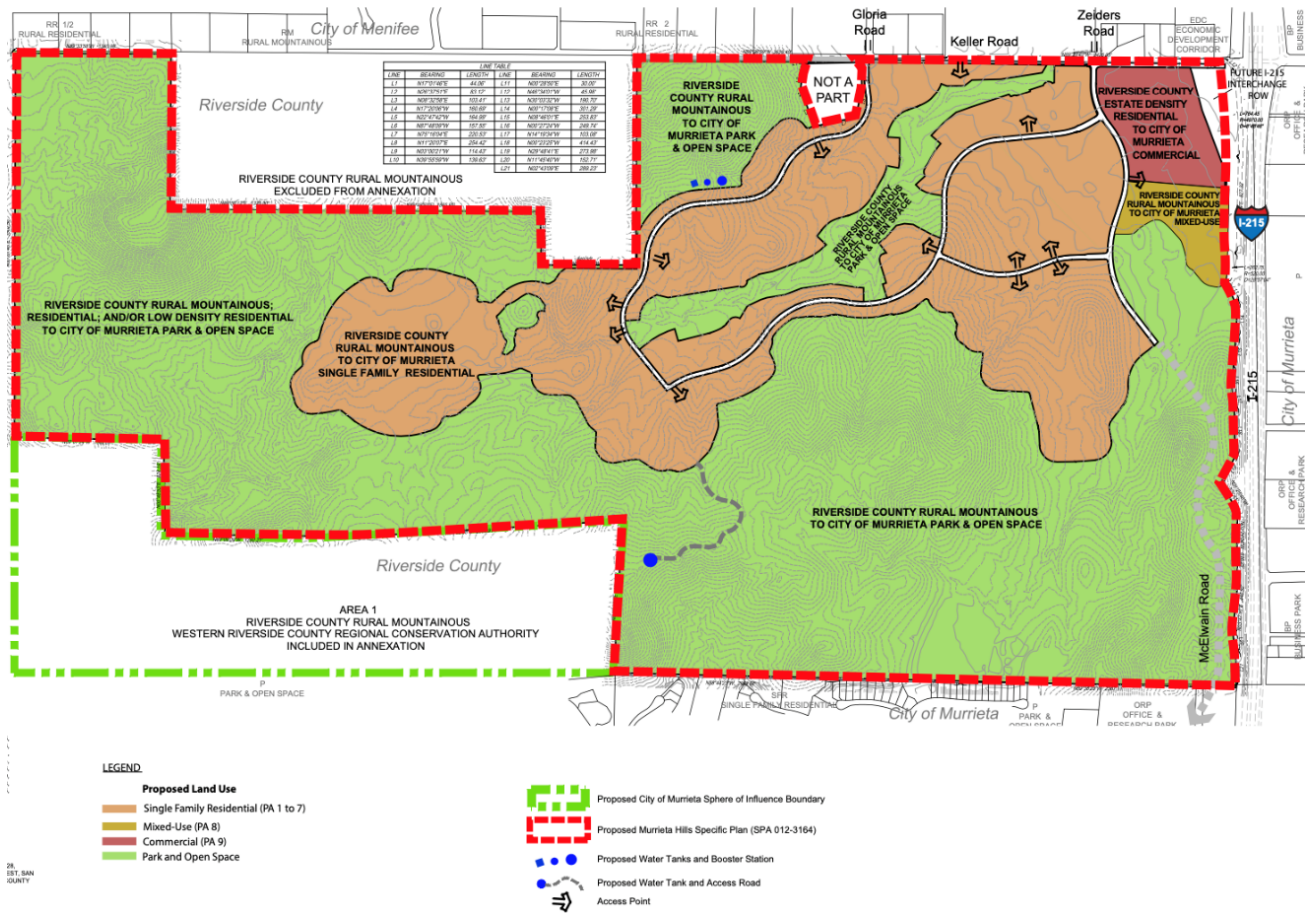
To implement the Project, the applicant has applied for the above referenced applications that are described in more detail below:

General Plan Amendment (GPA) 012-3165

The existing Riverside County general plan designations include Rural Mountainous, 10-acre minimum lot size, Rural Community-Estate Density Residential, 2-acre minimum lot size and Rural Community, Low Density Residential, ½ acre minimum lot size as illustrated on the exhibit below:



The GPA proposes to replace the County of Riverside General Plan land use designations with City of Murrieta land use designations that are consistent with the SPA land use plan (see exhibit below). The 7 single family residential planning areas will have general plan designations of Single Family Residential, while the mixed-use planning area will have a Mixed-Use designation and the Commercial planning area will be designated Commercial. The three open space planning areas will be designated Parks and Open Space, consistent with the planned uses:



The General Plan Amendment also includes a modification of the Circulation Element that covers the portion of McElwain Road that traverses the Murrieta Hills Project from Keller Road and continues offsite to Linnel Lane. The GPA will also change the general plan designation on the aforementioned RCA property to Parks and Open Space, once the annexation process is complete.

Specific Plan Amendment 012-3164

As stated previously, Specific Plan Amendment (SPA) 012-3164 is an amendment to the MHSP that was previously approved by the City of Murrieta in April 1995. The proposed SPA reduces the total number of dwelling units by 835 dwelling units from 1,585 dwelling units to 750 dwelling units, eliminates development from the southerly and westerly portions of the site and increases the amount of natural open space to be preserved through the Multiple Species Habitat Conservation Plan (MSHCP). Additionally, the SPA eliminates the proposed extension of Keller Road through the property and realigns the extension of McElwain Road to the west from Keller Road to Linnel Lane. The following table illustrates the Land Use and Acreage Summary of the proposed SPA.



**Table E-1
Land Use and Acreage Summary**

Land Use	Approximate Acreage	Maximum Number of Residential Dwelling Units
Residential¹		
Single-Family (Planning Areas PA 1 to 6)	198.12	497
Executive Single-Family (Planning Area PA 7)	50.32	60
Mixed-Use (Planning Area PA 8) ²	12.67	193
Subtotal	261.11	750
Commercial		
Neighborhood Commercial	18.14	--
Subtotal	18.14	--
Open Space		
Open Space 1: MSHCP ³	612.94	--
Open Space 2: Linear Natural Open Space	37.33	--
Open Space 3: Non-MSHCP Open Space	1.75	--
Subtotal	652.12	--
Circulation and Utilities		
Backbone Streets (Loop Road and McElwain Road) ⁴	19.53	--
Future Caltrans I-215 Interchange Right-of-Way (ROW)	4.61	--
Street ROW Dedication/Slopes Outside of ROW	16.31	--
Subtotal	40.53	--
TOTAL	971.8	750

¹ Acreage of proposed Residential land uses (261.11 acres) includes 4.6 acres of proposed public parks and 10.9 acres of proposed HOA parks/Community Center.

² Mixed-Use development allows for a mixture of neighborhood commercial and multi-family residential land uses. A maximum of 193 future residential dwelling units may be developed within PA 8. All future development within PA 8 will be subject to additional discretionary review by the City (i.e., Development Plan) at the time when a specific development proposal is made.

³ Includes a portion of McElwain Road and access road/water tank within MSHCP Open Space. The 612.94 acres includes a 4.4-acre Fuel Modification Zone (FMZ) easement (to be maintained by Greer Ranch HOA). The remaining 608.54 acres will be dedicated to the Resource Conservation Area for MSHCP preservation.

⁴ Excludes a portion of McElwain Road within MSHCP Open Space.

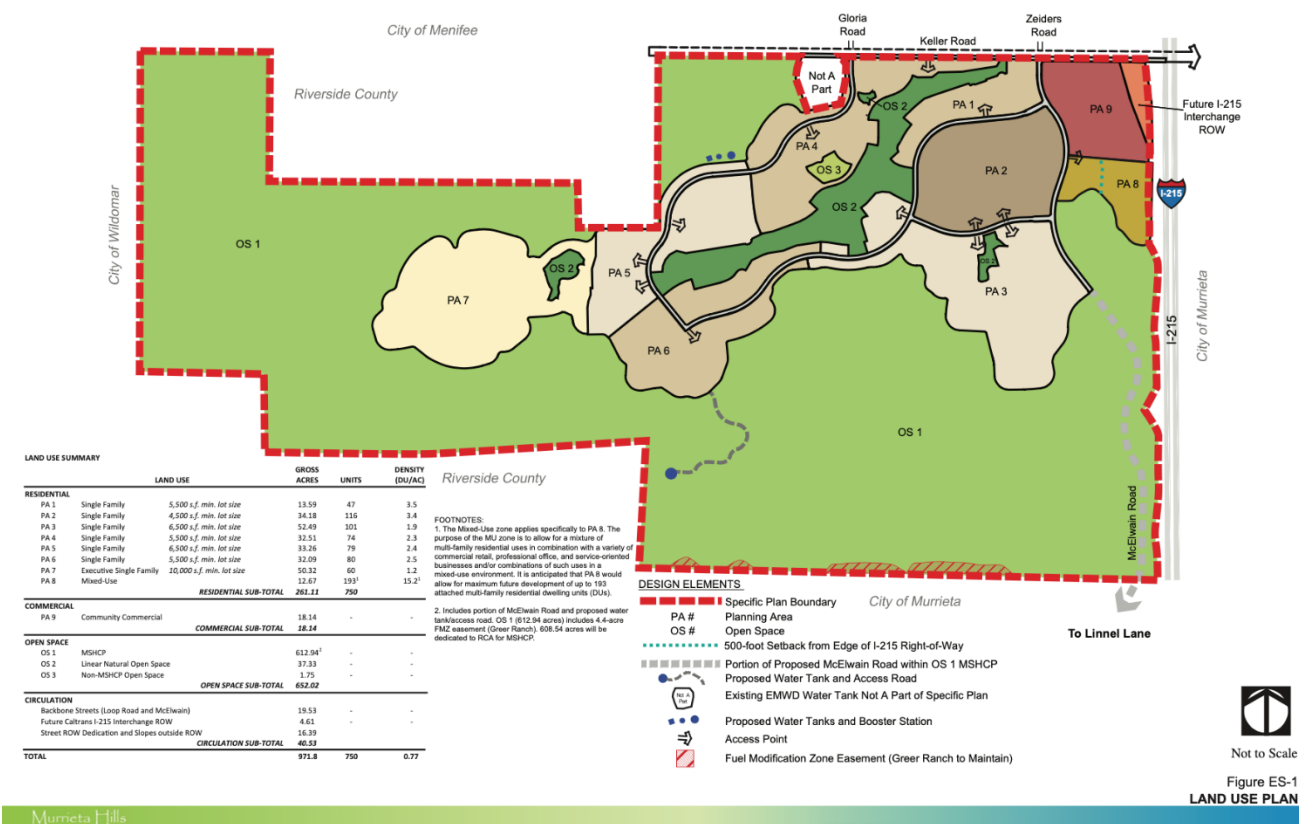
As seen on the Table, the SPA includes seven residential planning areas (PA 1-7) comprising approximately 198 acres, a mixed-use planning area, PA 8, that comprises approximately 12 acres and a neighborhood commercial planning area (PA 9) that comprises approximately 18 acres. The SPA proposes three open space classifications as follows: Open Space 1 includes approximately 612 acres that will be dedicated to the Riverside County Habitat Conservation Authority; Open Space 2 includes approximately 37 acres of linear natural open space that will be managed by the Murrieta Hills Homeowners Association; Open Space 3 includes approximately 1.75 acres that will be managed by the Murrieta Hills Homeowners Association. In addition, the SPA includes approximately 19.53 acres for backbone streets, 4.61 acres that will be dedicated for the future Keller Road/I-215 interchange and approximately 16.31 acres for slopes outside of the right of way.

The SPA also proposes a 4.56 HOA maintained neighborhood park that includes restroom facilities, softball/baseball diamond, multi-purpose field, half-court basketball courts, tot lots, picnic area, parking and turf area and a 2.76-acre HOA community center that will include restroom facilities, multi-use pool and spa, children's splash pad, tot lots, picnic area, turf area and an ornamental garden. In addition, the



specific plan includes 11, HOA pocket parks that will offer a variety of recreational opportunities for future residents of Murrieta Hills.

An exhibit of the proposed Specific Plan Land Use Plan is illustrated below:



An artist's rendering of the completed Murrieta Hills Project looking from the west to the east is illustrated on the next page:



The Specific Plan text includes 8 chapters described as follows:

Chapter 1: Introduction

This chapter includes the scope of development, location, planning context, specific plan organization, legal context, general plan consistency and legal description of the property.

Chapter 2: Existing Conditions

This chapter provides the project setting and site characteristics, existing infrastructure and services.

Chapter 3: Land Use

This chapter includes the land use approach taken, land use descriptions, planning area descriptions and concept development.

Chapter 4: Recreation and Open Space

This chapter describes the recreation and open space master plan, lands that will be dedicated to the Regional Conservation Authority (RCA), the linear natural open space areas, the environmentally sensitive area, HOA neighborhood park, HOA community center, HOA pocket parks, water quality basins and open space trails.

Chapter 5: Circulation

This chapter provides the circulation concept for the project, the backbone circulation plan, and the circulation development standards.

Chapter 6: Utility Infrastructure and Public Facilities

This chapter addresses drainage, water, sewer and public facilities for the project.



Chapter 7: Design Guidelines

This chapter addresses the architectural guidelines for the project and includes landscape design guidelines and guidelines for development of the mixed-use planning area.

Chapter 8: Implementation/Administration

This chapter addresses entitlements and approvals, specific plan phasing, public improvement financing and specific plan administration.

The specific plan text also includes as appendices the following documents:

Water Supply Assessment prepared by Eastern Municipal Water District (EMWD) dated September 10, 2018.

Development Design Conditions for Water and Sewer by EMWD

Murrieta Hills Fire Protection Technical Report prepared by Dudek and Associates dated August 2019

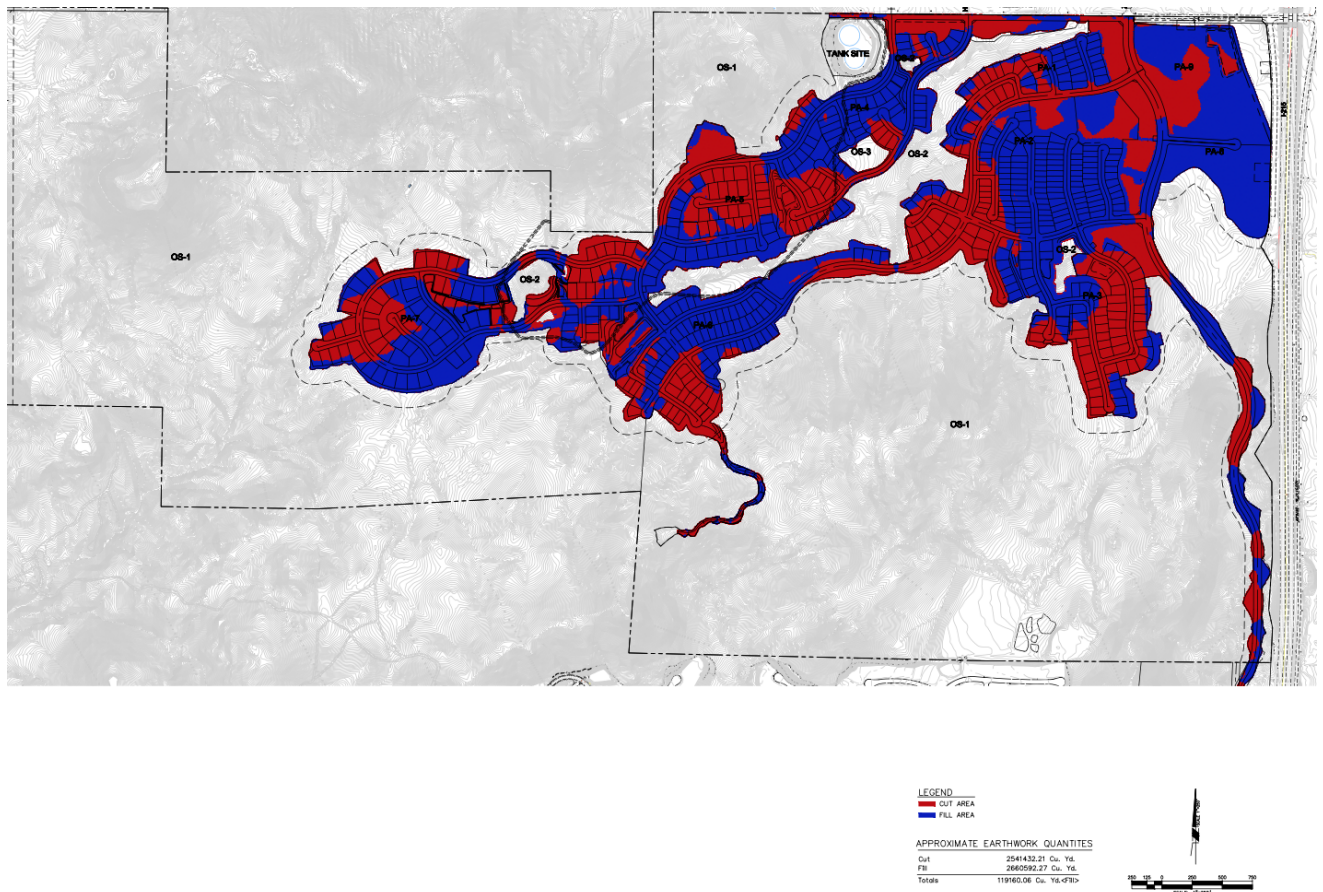
A complete copy of the Specific Plan, including the above referenced appendices, is attached to this Staff Report as Attachment No. 2.

Change of Zone 013-3312

Change of Zone 013-3312 proposes a change of zone from the existing Rural Residential (RR) zoning within Riverside County to zoning classifications of Single Family Residential 2 (SF-2), Estate Residential 3 (ER-3), Mixed Use (MU), Community Commercial (CC), Open Space 1, 2 and 3, and (OS 1, 2, 3) consistent with the City of Murrieta zoning ordinance. The Change of Zone will also change the zoning on the aforementioned RCA property to Open Space once the annexation process is complete.

Tentative Tract 35853

Tentative Tract Map (TTM) 35853 proposes the subdivision of the 972-acre site into 597 lots that include 557 single-family lots, 1 mixed-use lot, 1 commercial lot, 1 neighborhood park lot, 11 HOA park lots, 17 water quality lots and 9 open space lots. Attachment No. 7 includes a copy of the proposed TTM. Earthwork is anticipated to consist of 2,541,432.2 cubic yards of cut and 2,660,592.27 cubic yards of fill for a total import of 119,160.06 cubic yards of material as seen on the exhibit on the next page.

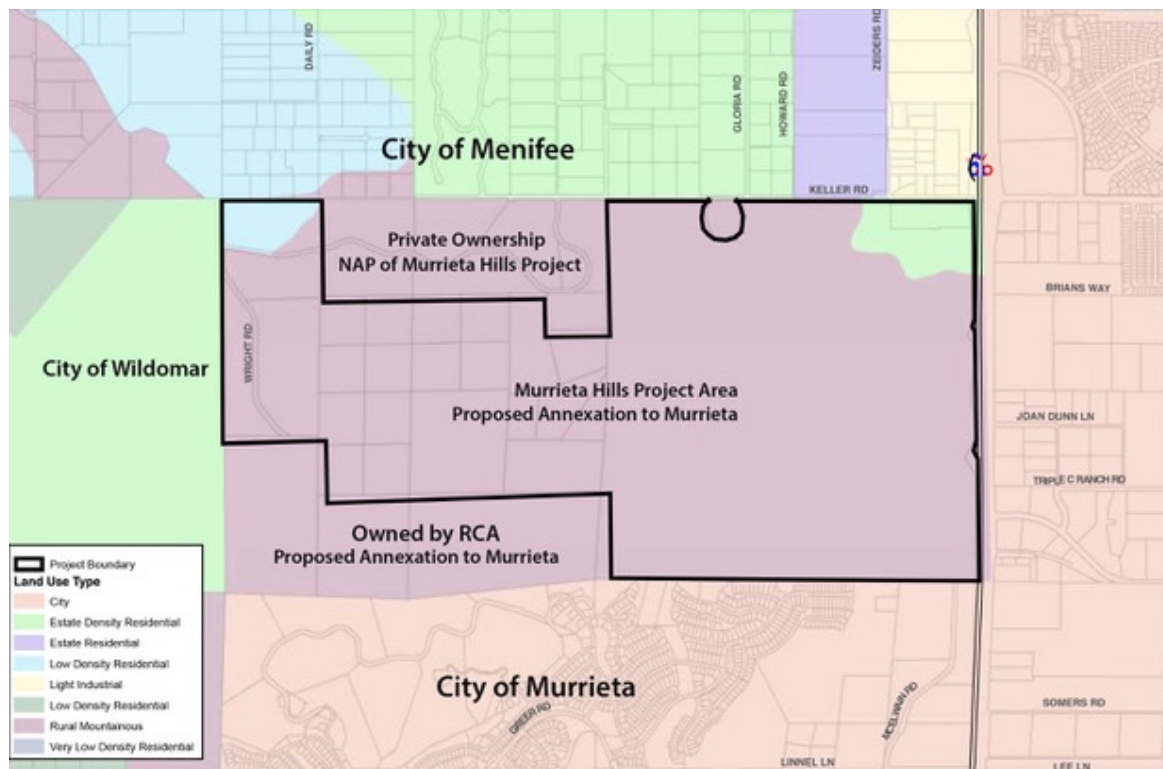


Development Agreement 2018-1631

A development agreement is a legal agreement between a city and developer and is governed by state law. State Law (Government Code 65865) allows local agencies to enter into contractual agreements relating to the intensity, timing and conditions of development of real properties. Chapter 16.54.020 of the Murrieta Development Code allows for the City to enter into a development agreement for development projects including the Murrieta Hills project. A copy of the proposed Development Agreement (DA) is included as Attachment No. 4 to this staff report. The DA between the City and Pulte/Benchmark Pacific provides vested rights for the Project over a 10-year period. The benefit to the City is that the Project provides a high-quality development that produces jobs and provides a variety of housing types that will improve the City's housing balance. The Project also dedicates rights-of-way necessary for the future Keller Road/I-215 Interchange, provides a critical new circulation link that will connect Keller Road to Linnel Lane. Furthermore, approximately 608 acres of natural open space will be dedicated to the Western Riverside County Regional Conservation Authority for permanent open space.



LAFCO ANNEXATION



As illustrated on the above exhibit, the area southwest of the project site is owned by the RCA and is included in the sphere-of-influence amendment and proposed annexation into the City of Murrieta. The RCA property is also part of the proposed General Plan Amendment and Change of Zone. The proposed General Plan designation for the RCA property is Open Space, and the proposed zoning is Open Space.

As previously stated in the staff report, the 130-acre area northwest of the Project site is privately owned and is not included in the LAFCO sphere of influence amendment and annexation proposals. Although the Project Applicant conducted outreach and met with those landowners, multiple times, with the goal of including all properties into the annexation, the landowners were not interested in joining in either the Murrieta Hills planning effort or the proposed sphere of influence amendment and annexation process.

The LAFCO process will follow the Planning Commission and City Council public hearings. Annexation to the City is required prior to any development on the site. Staff has conditioned the Specific Plan, the Tentative Tract Map and the Development Agreement along with all related and accompanying applications will only become effective upon completion and finalization of the project's LAFCO sphere of influence amendment and annexation process.

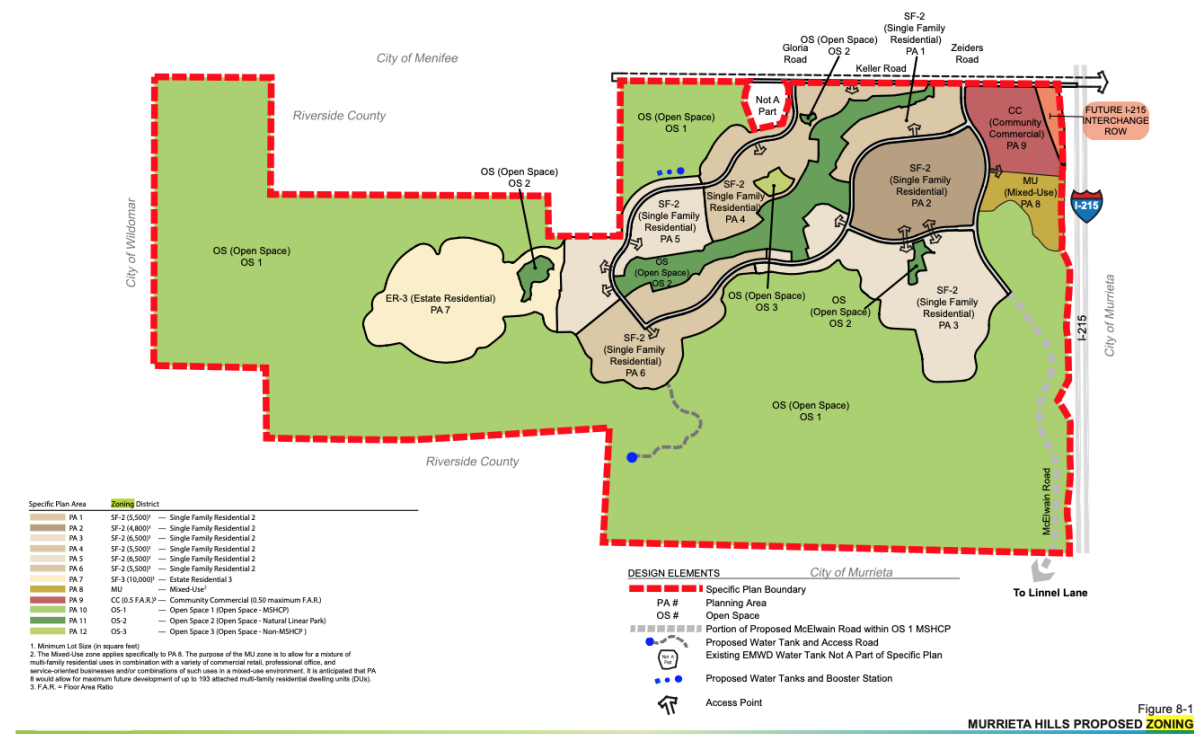
Zoning / General Plan Consistency:

The Murrieta General Plan 2035 adopted on July 19, 2011, serves as the blueprint for future development and growth in the City of Murrieta. Table 1.7-1 within the specific plan provides a summary of consistency between the SPA and the Murrieta General Plan.



To summarize, the MHSP is consistent with the following General Plan Elements' goals and policies most relevant to the Murrieta Hills Project: Land Use, Circulation, Infrastructure, Health Community, Conservation, Recreation and Open Space, Noise, Safety and Housing. A complete analysis of the Projects' General Plan Consistency with the Murrieta General Plan is contained in Table 1.7-1 in the Specific Plan document.

The project site is currently zoned Rural Residential (Riverside County Zoning). The proposed zoning within the City of Murrieta includes the following proposed zoning designations that are in conformance with the proposed specific plan and are illustrated on the exhibit below: Single Family Residential 2 (SF-2), Estate Residential 3 (ER-3), Mixed Use (MU), Community Commercial (CC), Open Space 1, 2 and 3, (OS 1, 2, 3).



ANALYSIS:

Summary of Issues Raised During the Draft Environmental Impact Report (DEIR) Public Review Process

Open Space/Trails

The majority of the comment letters received discussed the ongoing unauthorized use and access to the illegal trails (hiking and biking) that traverse the Project site. As background, the Project site is private property and has never been designated as public open space on either the Riverside County or the City of Murrieta General Plans. While some of the commenters correctly acknowledged that the existing trails are not authorized and were created as, and remain, an unauthorized and illegal use of the Project site, there does not seem to be a general knowledge or acknowledgement of the fact that these trails are not



publicly owned, and are not publicly dedicated, authorized or even legal trails. While the City understands the commenters' desire to enjoy outdoor recreational activities, the trails at issue here are unauthorized and located on privately-owned land. The property owner has made multiple attempts to prevent access to, or use of the unauthorized trails by placing a gate at the end of Scenic View Drive, using k-rails and other barriers to limit site access, and by installing multiple "No Trespassing" signage around the property. Unfortunately, these attempts to deter usage have been ignored, circumvented and in some instances vandalized and destroyed.

The Project, as planned, will not result in the loss of lawful publicly dedicated open space, trails and recreation areas. Alternate authorized and legal opportunities for the use of public trails and recreation areas are available throughout Southwestern Riverside County and greater Riverside County in general. Moreover, according to the City of Murrieta's General Plan Recreation and Open Space Element, there are 15 multi-use trails in the City which provide opportunities to walk and ride through parkland and open space and are open to horses, bikes, and pedestrians. See Exhibit 5-4: Trails and Bikeways of the City's General Plan Circulation Element¹ for the locations of these trails.

The Murrieta Hills Specific Plan provides both active and passive open space and recreational opportunities and HOA maintained active and passive recreational opportunities for Project residents. Additionally, the Project includes the dedication of 608 acres of passive open space and wildlife habitat which represents roughly two-thirds of the total Project site. The passive open space will be transferred, in fee, to the Western Riverside County Regional Conservation Authority (RCA) for protection and preservation, in perpetuity, as natural open space.

As stated in the DEIR, any future access or recreational uses of the RCA's open space would only be allowed at the discretion of the RCA. Any future uses of the RCA open space must be in conformance and compliance with the MSHCP Section 7: Covered Activities/Allowable Uses, Guidelines for Public Access and Recreation in the MSHCP Conservation Area. MSHCP Section 7.4.2 states that excessive or uncontrolled access within the MSHCP Conservation Area can result in habitat degradation and disruption of breeding and other critical wildlife functions at certain times of the year. In order to provide sufficient protection for natural and biological resources within the MSHCP Conservation Area, policies and guidelines have been developed to regulate the covered public access activities described in MSHCP Section 7.4.2: Conditionally Compatible Uses that are stated below:

- Whenever possible, trail alignments in the MSHCP Conservation Area will use existing dirt roads.
- Trails will be kept along the edges of large sensitive areas of habitat such as meadows and riparian areas.
- The type, width, and intensity of trail uses will be consistent with protection of the resources being traversed.
- When determined to be appropriate, trails will be constructed to any prominent features or viewpoints that are likely to attract hikers in order to prevent off-trail access and extensive trampling of adjacent habitat by hikers.
- Water breaks will be installed on steep trails to prevent accelerated runoff and erosion.



- Dog-friendly trails will be located in areas of relatively low habitat value or edges.

Fire Hazards

A Fire Protection Technical Report (FPTR) was prepared for the Murrieta Hills Project. The FPTR details measures for fire protection which meet or exceed the most recent Murrieta Fire Code or provides mitigation measures that result in the same effect. The Project will be required to meet the applicable codes that are in place at the time of construction, unless they are less restrictive than those identified in the FPTR. This FPTR also identifies the fire risk associated with the Proposed Project's planned land uses, and identifies requirements for fuel modification, building design and construction and other pertinent development infrastructure criteria for fire protection. The primary focus of the FPTR is to provide an implementable framework for suitable protection of the planned structures and the people living and utilizing them. Tasks completed in the preparation of the FPTR included data review, code review, site fire risk analysis, land use plan review, fire behavior modeling, and site-specific recommendations.

The structures in the Proposed Project will be built using ignition resistant materials per the most recent / current City Fire and Building Codes (Chapter 7A – focusing on structure ignition resistance from flame impingement and flying embers in areas designated high fire hazard areas) which are the amended California Fire and Building Codes. These features will be complemented by an improved water availability, capacity and delivery system; multiple fire department and resident ingress/egress roads; monitored defensible space/fuel modification; interior, automatic fire sprinkler systems in all structures, monitored interior sprinklers in applicable structures; and other fire safety measures that will provide properly equipped and maintained structures with a high level of fire ignition resistance. Commercial areas will be required to implement the latest fire and building codes specifically addressing the unique demands of large commercial structures.

The site fire risk analysis concluded that wildfire has occurred and will likely occur near the Project site again. However, the Project will include ignition resistant landscapes and structures and firefighters will have needed defensible space and access with implementation of specified measures. Based on modeling and analysis of the Project site to assess its unique fire risk and fire behavior, it was determined that the California and Murrieta standard of 100-foot- wide fuel modification zones (FMZs) would be suitable to protect this Proposed Project from the anticipated wildfire that may burn in the fuels adjacent to the developed areas. However, as a requirement exceeding measure, the FMZs will be extended an additional 50 feet, for 150 feet total on the Project's perimeter, providing even greater setback and defensible space that is from 3 1/2 to 6 times the modeled wildfire flame lengths, assisting firefighter protection of this community. In addition, perimeter lot rear yards will be considered part of the FMZ areas, providing another 20 feet, on average and increasing FMZs to 170 feet wide.

Several commenters questioned the DEIR's conclusions on grounds that it does not provide sufficient evidence that the Project's fire-safety measures will adequately protect the Project and adjacent communities from wildfires. The comments imply that the Project will increase the risk of fire-ignition on and from the Project. Some of the comments received suggested that placing a new residential project in wildland-urban interface (WUI) will increase the risk of fire ignition.



The Murrieta Hills Project proposes a wide managed fuel modification zone (FMZ) that will separate the homes from unmaintained fuel sources that will be maintained by the Homeowners Association. Furthermore, all structures within the Project will be ignition resistant and include the following:

1. Exterior walls of all structures and garages to be constructed with approved non-combustible (stucco, masonry, or approved cement fiberboard) or ignition-resistant material from grade to underside of roof system. Wood shingle and shake wall covering is prohibited. Any unenclosed under-floor areas will have the same protection as exterior walls. Per the Building Code, Chapter 7A: Exterior wall coverings to extend from top of foundation to the underside of roof sheathing, and terminate at 2-inch nominal solid wood blocking between rafters at all roof overhangs, or in the case of enclosed eaves, terminate at the enclosure). The underside of any cantilevered or overhanging appendages and floor projections will maintain the ignition-resistant integrity of exterior walls, or projection will be enclosed to grade.
2. Eaves and soffits will meet the requirements of SFM 12-7A-3 or be protected by ignition resistant materials or non-combustible construction on the exposed underside, per Building Code, Chapter 7A.
3. There shall be no use of paper-faced insulation or combustible installation in attics or other ventilated areas per Building Code.
4. There shall be no use of plastic, vinyl (with the exception of vinyl windows with metal reinforcement and welded corners), or light woods on the exterior.
5. All roofs shall be a Class "A" listed and fire-rated roof assembly, installed per manufacturer's instructions, to approval of MFR. Roofs shall be made tight with no gaps or openings on ends or in valleys, or elsewhere between roof covering and decking, in order to prevent intrusion of flame and embers. Any openings on ends of roof tiles shall be enclosed to prevent intrusion of burning debris. When provided, roof valley flashings shall not be less than 0.019 inch (No. 26 gage galvanized sheet) corrosion-resistant metal installed over a minimum 36-inch-wide underlayment consisting of one layer of 72 pound ASTM 3909 cap sheet running the full length of the valley (Chapter 7A).
6. No vents in soffits, cornices, rakes, eaves, eave overhangs or between rafters at eaves or in other overhang areas. Gable end and dormer vents to be alternative design resistant to ember penetration. Vents shall be ember resistant (e.g., Brandguard or O'Hagin)
7. Vents shall not be placed on roofs unless they are approved for Class "A" roof assemblies (and contain an approved baffle system (such as Brandguard vents) to stop intrusion of burning material) or are otherwise approved.
8. Turbine vents are prohibited.
9. Exterior glazing in windows (and sliding glass doors, garage doors, or decorative or leaded glass in doors) to be dual pane with one tempered pane, or glass block or have a 20-minute fire rating. Glazing to comply with CBC Chapter 7A.
10. Any vinyl frames to have welded corners and metal reinforcement in the interlock area to maintain integrity of the frame certified to ANSI/AAMA/NWWDA 101/I.S 2 97 requirements.
11. Skylights to be tempered glass (CBC, Chapter 7A).
12. Rain gutters and downspouts to be non-combustible. They shall be designed to prevent the accumulation of leaf litter or debris, which can ignite roof edges (CBC, Chapter 7A).
13. Doors to conform to SFM standard 12-7A-1, or shall be of approved noncombustible construction or shall be solid core wood having stiles and rails not less than 13/8 inches thick or have a 20-minute fire rating. Doors to comply with CBC, Chapter 7A. Garage doors to be solid core 1.75-inch-thick wood or metal, to comply with code.



14. Decks and their surfaces, stair treads, landings, risers, porches, balconies to comply with language in CBC, Chapter 7A and be ignition-resistant construction, heavy timber, exterior approved fire retardant wood, or approved non-combustible materials.
15. Decks or overhangs projecting over vegetated slopes are not permitted. Decks to be designed to resist failing due to the weight of a firefighter during fire conditions. There will be no plastic or vinyl decking or railings. The ends of decks to be enclosed with the same type of material as the remainder of the deck.
16. There shall be no combustible awnings, canopies, or similar combustible overhangs.
17. No wood fences to be allowed within 5 feet of structures on any lots. The first 5 feet from a structure will be non-combustible or meet the same fire resistive standards as walls. The exception is that a wood gate may be used adjacent to a structure, if there is a 5-foot length of non-combustible or fire-resistive fencing between the gate and the remainder of the fence where it abuts the structure.
18. Solar power fire prevention and protection measures per code requirements.

With the exception of OS 1 that will be dedicated to the RCA, all landscaped areas will be managed and maintained to remove exotic fuels that may become established over time. The Fire Protection Technical Report includes plant palette restrictions, which will be reviewed and approved for each lot by an HOA landscape committee, combined with HOA maintenance and annual 3rd party review/inspections of FMZ will minimize the establishment and expansion of exotic plants, including grasses.

Based on the Murrieta Hills' fire protection features, which meet the restrictive fire and building code requirements (DEIR Appendix 9.11), and in some cases exceed them (DEIR MMs WH-1 through -10), the Project will not add to the local or regional fire risk, as concluded in the DEIR with its less than significant impact with mitigation incorporated conclusion. The Murrieta Fire & Rescue Department has also drafted conditions of approval for TTM 35853 that can be found in Exhibit B.

BIOLOGICAL RESOURCES

Several of the comments addressed on-site biological resources and the potential impact the Project would have on those resources. The 972-acre property is located within the Western Riverside County Multiple Species Habitat Conservation Plan that includes property in unincorporated western Riverside County and several cities within western Riverside County, including the City of Murrieta. The MSHCP was adopted by the Riverside County Board of Supervisors on June 17, 2003 and the Incidental Take Permit was issued by the United States Fish and Wildlife Service and the California Department of Fish and Wildlife on June 22, 2004. The MSHCP focuses on the conservation of 146 species and proposes the conservation and permanent preservation of approximately 500,000 acres. The overall goal of the MSHCP is to maintain the biological and ecological diversity within the Riverside County region and allow participating entities to issue take permits from the USFWS and CDFW.

The Project is located within Subunit 2, Lower Sedco Hills in the Sun City/Menifee Area Plan of the MSHCP. The Project site is within Cell Group C and specifically within cells 5252, 5253, 5254, 5255, 5355, 5356, 5357 and 5358 as shown on the exhibit below. Cell Group C along with creating an approximately 37-acre linear natural open space area. The linear natural open space area is not part of the MSHCP conservation area. The approximately 608 acres represent approximately 62 percent of the Project site, which is within the target of 60 to 70 percent conservation for Cell Group C.



A Habitat Acquisition Negotiation Strategy (HANS) application was submitted to the RCA for Joint Project Review (JPR) on August 15, 2019. The RCA sent its JPR findings to the Project Applicant, Lead Agency, and Wildlife Agencies (USFWS and CDFW) on August 27, 2019, acknowledging that the Project is consistent with both the Criteria and Other Plan requirements. The Wildlife Agencies, who received the JPR on August 28, 2019, provided written comments within the 10-(business) day review period, which concluded on September 12, 2019. The Wildlife Agencies disagreed with the findings of the RCA's determination that the Project was consistent with the MSHCP and opined that the Project should be redesigned to achieve consistency with the MSHCP by increasing the width of Linkage 8 and moving the proposed residential units to areas northwest of the project site, that are not under the ownership of the Project applicant.

The City, as Lead Agency, and the RCA reviewed and considered the comments provided by the Wildlife Agencies and concluded that the Project as proposed, is consistent with the MSHCP.

Additionally, the Project's Determination of Biologically Equivalent or Superior Preservation (DBESP) Report was submitted and approved by the RCA on August 27, 2019. The Wildlife Agencies submitted comments on the DBESP on October 28, 2019 and again disagreed with the conclusions of the RCA and the City. In response to the Wildlife Agencies comments, additional clarification was added to mitigation measures 2, 4 and 7.

The DEIR concluded that no significant unavoidable biological resources impacts have been identified for either the construction or operation phases of the Project nor will there be any significant cumulative biological resources impacts.

CULTURAL RESOURCES

Previous cultural resource investigations within the Project area began in 1973 with the discovery of several sites within the Project boundaries. Subsequent studies in 1992 recorded several sites within the project area. In 2006 a study found that 80 cultural resource studies had been conducted within a one-mile radius of the Murrieta Hills boundaries. Those studies concluded that there were 10 cultural resources within the Murrieta Hills Specific Plan project boundaries.

A Phase 1 investigation of the Project site was conducted in 2014 and found 11 new archaeological sites and major revisions to the boundaries of many of the previously recorded sites. Six of the new sites are located within the MHSPA, but outside of the development footprint and will not be impacted by the development. The Phase 1 Report identified 12 archaeological sites that warranted further testing and significance evaluation.

A Phase 2 Cultural Resource Report was conducted in 2015 and evaluated the 12 archaeological sites identified above and included surface collection and mapping. Approximately 428 shovel test pits and approximately 23 test excavation units were conducted within the Project site. Additionally, five trenches were excavated on the site.

SB 18 consultation with the Pechanga Tribe began initially in 2007 and is on-going to this day. From November 2007 thru February 2020, approximately 38 meetings and phone calls were held between the City, the archaeological consultants and the Tribe. Representatives from The Tribe were present during the 2014 initial site visit and were actively involved with the archaeological consultants during the Phase 2 investigation.



Subsequent to the Phase I and Phase 2 Reports, the specific plan land use plan was redesigned to avoid or minimize, to the extent feasible, impacts to sensitive cultural resources

Furthermore, a Tribal Cultural Properties Report was prepared for this project and concluded that the project would not have a significant impact to historical or cultural resources with the incorporation of project design features and mitigation measures. However, comments received on the DEIR from the Pechanga Tribe stated that the Tribe does not agree with the conclusions reached by the City as the lead agency for the project.

Transportation

A Traffic Impact Analysis was prepared for the Murrieta Hills Specific Plan Amendment in November 2018. As stated previously, access to the site would be provided by Keller Road, Zeiders Road and McElwain Road. I-215 provides regional access to the site. A new interchange is planned at I-215 and Keller Road, however the future interchange is not a part of the Murrieta Hills Project.

The Traffic Impact Analysis identified the existing conditions of 24 study intersections within the study area as illustrated on the table below:

EXISTING CONDITIONS PEAK HOUR STUDY INTERSECTION LEVEL OF SERVICE ANALYSIS

Table 4.13-1 summarizes existing conditions a.m. and p.m. peak hour LOS of the study intersections.

Table 4.13-1: Existing Conditions AM and PM Peak Hour Study Intersection LOS

Study Intersection	Traffic Control	AM Peak Hour	PM Peak Hour
		Delay – LOS	Delay – LOS
1. Sunset Ave - Cottonwood Canyon Rd. / Bundy Canyon Rd.	Two-Way Stop	22.3 – C	24.8 – C
2. Murrieta Rd. / Scott Rd.	All-Way Stop	40.3 – E	44.0 – E
3. Haun Rd. - Zeiders Rd. / Scott Rd.	Signal	>80.0 – F	77.7 – E
4. I-215 SB Ramps / Scott Rd.	Signal	25.7 – C	25.7 – C
5. I-215 NB Ramps / Scott Rd.	Signal	34.8 – C	41.4 – D
6. Antelope Rd. / Scott Rd.	Signal	60.6 – E	59.9 – E
7. Zeiders Rd. / Keller Rd.	One-Way Stop	9.4 – A	9.0 – A
8. Antelope Rd. / Keller Rd.	Signal	29.4 – C	24.9 – C
9. Mapleton Ave. / Keller Rd.	One-Way Stop	11.8 – B	10.9 – B
10. Menifee Rd. / Keller Rd.	Signal	14.0 – B	14.2 – B
11. Antelope Rd. / Baxter Rd.	Signal	24.1 – C	28.8 – C
12. Warm Springs Pkwy. / Baxter Rd.	Signal	34.5 – C	31.0 – C
13. Whitewood Rd. / Baxter Rd.	Signal	14.8 – B	14.0 – B
14. McElwain Rd. / Linnel Ln.	All-Way Stop	11.7 – B	9.9 – A
15. Whitewood Rd. / Linnel Ln.	Signal	16.4 – B	13.2 – B
16. Murrieta Oaks East Ave / Clinton Keith Rd.	Signal	29.8 – C	16.7 – B
17. McElwain Rd. / Clinton Keith Rd.	Signal	25.7 – C	30.4 – C
18. I-215 SB Ramps / Clinton Keith Rd.	Signal	16.9 – B	16.6 – B
19. I-215 NB Ramps / Clinton Keith Rd.	Signal	40.1 – D	17.5 – B
20. Whitewood Rd. / Clinton Keith Rd.	Signal	52.1 – D	48.9 – D
21. I-215 SB Ramps / Keller Rd.	Future Roundabout		
22. I-215 NB Ramps / Keller Rd.	Future Roundabout		
23. Warm Springs Rd. / Linnel Ln.	Future Intersection		
24. Warm Springs Rd. / Clinton Keith Rd.	Future Intersection		

Notes: Deficient operation shown in bold;
Delay shown in seconds; SB = Southbound; NB = Northbound;
* = Delay exceeds 80.0 seconds for signalized intersection or 50.0 seconds for un-signalized intersection; Level of Service F per HCM.
Source: *Murrieta Hills Specific Plan Traffic Impact Analysis*, Page 12, Table 3, EIR Appendix 9.9.1.



Of the 24 study intersections 21 are operating at Level of Service D or better and three are operating below a LOS D and include Intersection 2, Murrieta Road/Scott Road, Intersection 3, Haun Road-Zeiders Road/Scott Road and Intersection 6, Antelope Road/Scott Road.

The table below illustrates existing conditions of the 15 Study Area Roadway segments:

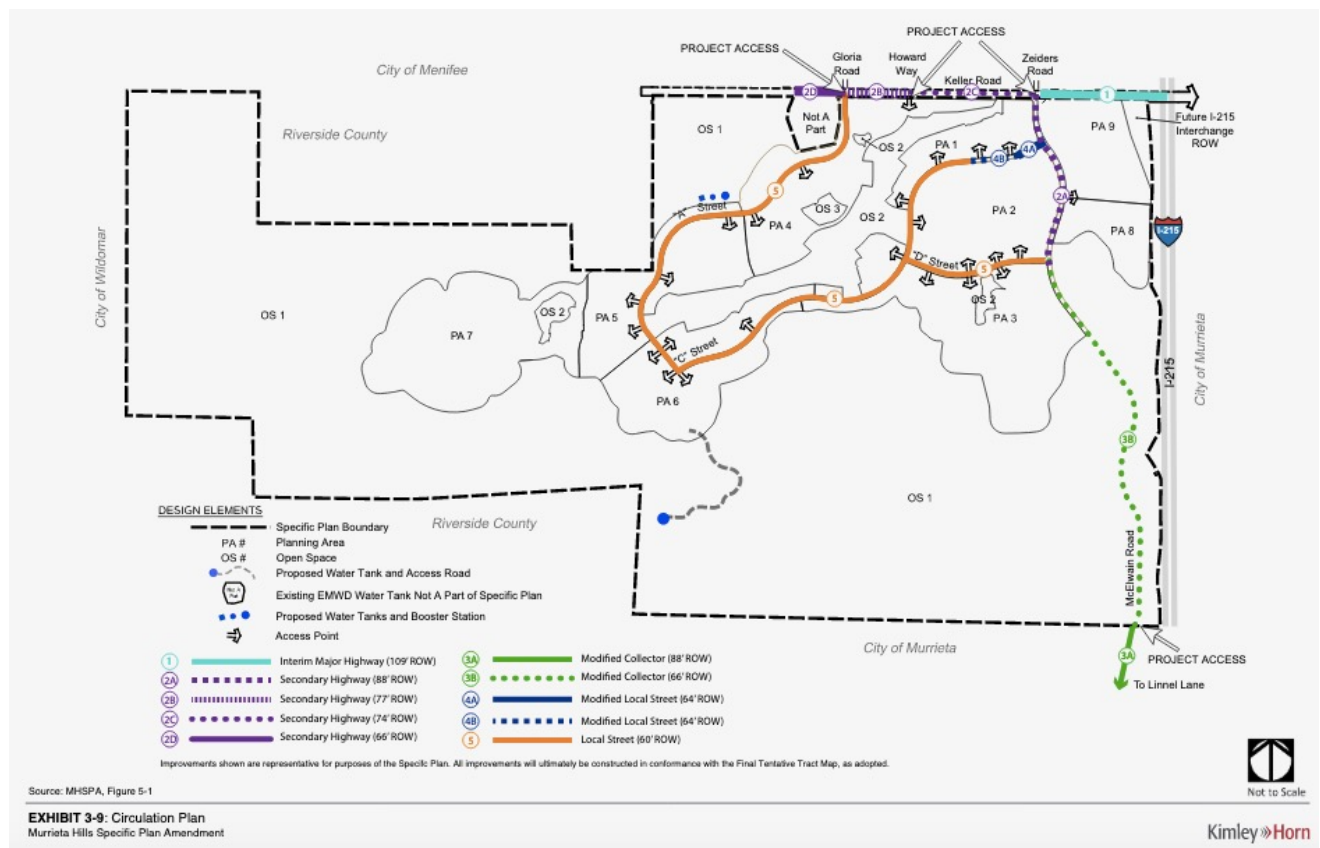
Table 4.13-2: Existing Conditions Study Roadway Segment LOS

Study Roadway Segment	Roadway Segment Classification	No. of Lanes	Roadway Segment Capacity	ADT	V/C	LOS
Keller Road						
1. Howard Way to Zeiders Road	Collector	2	13,000	290	0.02	A
2. Zeiders Road-McElwain Road to I-215 SB Ramps	Collector	2	13,000	1,100	0.08	A
3. I-215 NB Ramps to Antelope Road or Mapleton Avenue	Collector	2	13,000	3,160	0.24	A
4. Mapleton Avenue to Whitewood Road / Menifee Road	Collector	2	13,000	2,910	0.22	A
Zeiders Road						
5. Keller Road to Scott Road	Collector	2	13,000	920	0.07	A
McElwain Road						
6. Keller Road to Street "J-J"	N/A	N/A	N/A	N/A	N/A	N/A
7. Street "J-J" to Street "D"	N/A	N/A	N/A	N/A	N/A	N/A
8. Street "D" to Linnel Lane	N/A	N/A	N/A	N/A	N/A	N/A
9. Linnel Lane to Clinton Keith Road	Secondary	4	25,900	15,020	0.58	A
Antelope Road						
10. Scott Road to Mapleton Avenue	Collector	2	13,000	8,110	0.62	B
11. Mapleton Avenue to Keller Road	Collector	2	13,000	12,300	0.95	E
Scott Road						
12. Howard Way to Haun Road / Zeiders Road	Collector	2	13,000	14,920	1.15	F
13. Haun Road / Zeiders Road to I-215 SB Ramps	Collector	2D	18,000	25,700	1.43	F
14. I-215 NB Ramps to Antelope Road	Arterial	4	35,900	40,030	1.12	F
Clinton Keith Road						
15. I-215 NB Ramps to Whitewood Road	Urban Arterial	6	53,900	13,850	0.26	A

Notes: V/C = Volume-to-capacity ratio. Deficient operation shown in **bold**.
N/A = Not applicable since roadway segment has not yet been constructed and does not exist for this scenario.
Source: *Murrieta Hills Specific Plan Traffic Impact Analysis*, Page 53, Table 30. EIR Appendix 9.9.1.

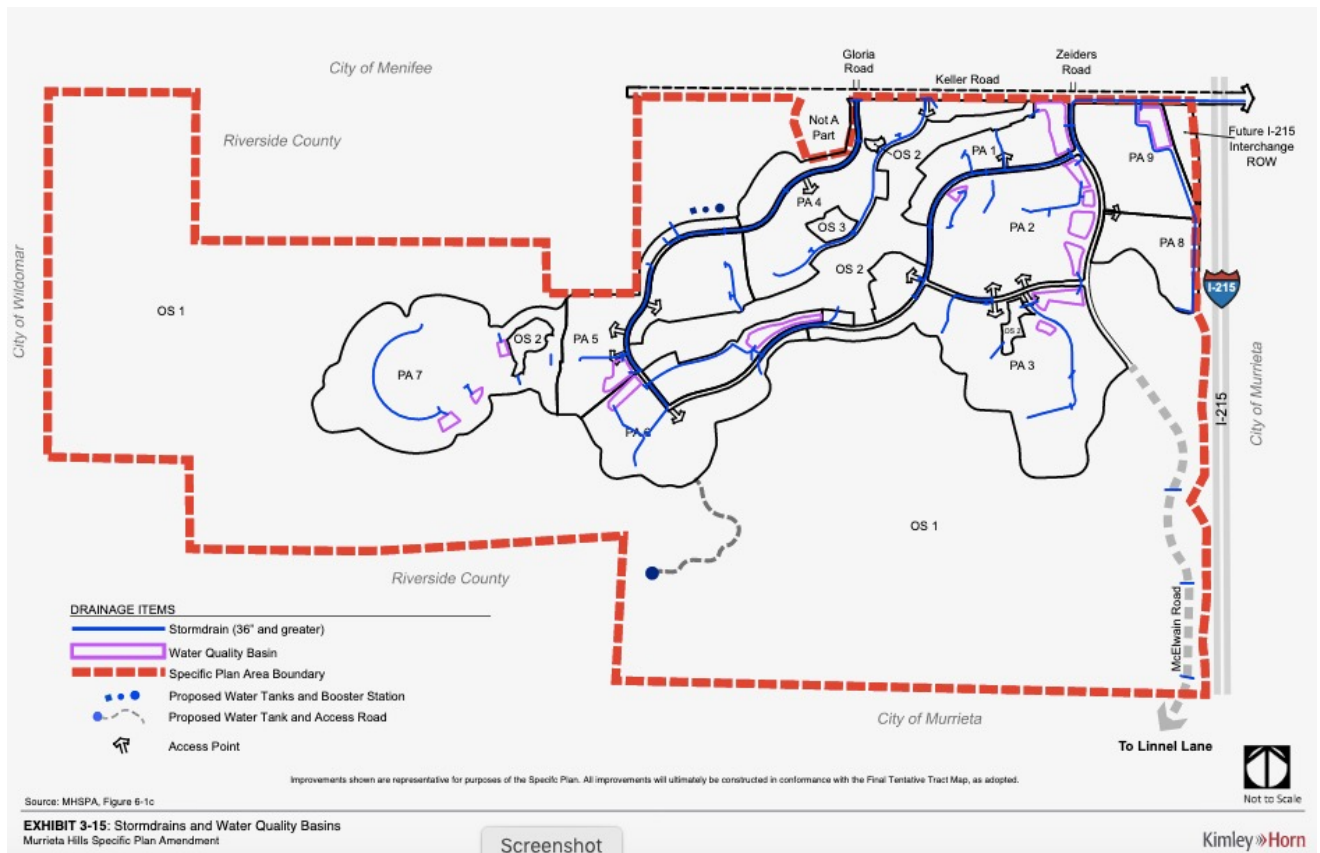
As illustrated above, eleven of the fifteen roadway segments are operating at LOS C or better, however, 4 roadway segments are operating at LOS D or worse and are: Segment 11 - Antelope Road from Mapleton Avenue to Keller Road (LOS E); Segment 12 - Scott Road from Howard Way to Haun Road/Zeiders Road (LOS F); Segment 13 - Scott Road from Haun Road/Zeiders Road to I-215 SB Ramps(LOS F); and Segment 14 - Scott Road from I-215 NB Ramps to Antelope Road (LOS F).

The TIA identifies mitigation measures that are required to mitigate all Project and cumulative impacts to less than significant levels. The Project will either construct or pay a fair share of all improvements within the City of Murrieta to fully mitigate Project impacts as specified in the mitigation measures. However, even with the Project Applicant's fair share contribution to implement the identified mitigation measures, timing for full funding and construction of the contemplated improvements in other jurisdictions (the cities of Wildomar and Menifee and Caltrans for the I-215 interchange improvements) is not certain or guaranteed. The EIR deems this a potentially unavoidable significant impact and has prepared a statement of overriding finding for this impact. A copy of the Project circulation plan is illustrated below:



Hydrology

A preliminary drainage study and a WQMP have been prepared for the Project. As stated previously, the Project site is vacant and slopes towards the northeast. Under pre and post development conditions, most of the storm runoff would be conveyed to an underground culvert that crosses Keller Road, just west of Zeiders Road within the City of Menifee. This culvert outlets into a small natural drainage that continues in a northeasterly direction towards I-215 and is conveyed under I-215 through culverts that are approximately 300 feet and 2,500 feet north of Keller Road. After the flow crosses I-215 it is conveyed either east towards the Kaiser Medical Center or northerly in a series of drainage facilities that ultimately enter Salt Creek. The flow towards Kaiser is ultimately conveyed easterly along or south of Keller Road. The drainage plan for the Project, illustrated on the next page, includes a series of bioretention basins for treatment. According to FEMA maps, the Project site is not located within a flood plain or floodway.



McElwain Road

McElwain Road currently exists as a 3-lane road that terminates at Linnel Lane as shown on the photograph below:





As part of the Murrieta Hills Project, McElwain Road will be extended southerly from Keller Road to connect at Linnel Lane as a 3-lane modified collector as shown below. The connection of McElwain Road to Linnel Lane is critical to provide secondary and emergency access to the Project and the overall area.



ENVIRONMENTAL DETERMINATION

An environmental impact report was prepared for the Murrieta Hills Project and was circulated for a 45-day public review and comment period from May 8, 2020 to June 22, 2020. Pursuant to the California Governor's Executive Order N-54-20 an electronic PDF of the DEIR was available for download on the City website. Additionally, signs were posted on the property and a legal advertisement was placed in the Press Enterprise newspaper stating where the DEIR was available for download and the dates of the public review comment period. The MHSPA EIR evaluated potential environmental impacts resulting from the amendment and replacement of the original Murrieta Hills Specific Plan No. SPM-4, including any required off-site improvements, and annexation of the property into the City. The MHSPA EIR superseded the 1995 Murrieta Hills Specific Plan EIR and established new requirements and guidelines for the development of the master planned community. The MHSPA EIR focused on the following potential significant environmental issues (significant unavoidable impacts are noted in ***bold/italics***):

- ***Aesthetics***
- ***Air Quality***
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- ***Greenhouse Gas Emissions***



- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- **Noise**
- Public Services and Recreation
- **Transportation**
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire

A copy of the Draft Environmental Impact Report is attached to the staff report as Attachment No. 3. A total of 35 comments were received during the 45-day public review period and 4 comments were received after the comment period closed. Those who commented along with date received and numbered response to each comment is provided in the Table below.

Wildlife Agencies		
W-1	United States Fish and Wildlife Service/California Department of Fish and Wildlife Jenness McBride, Acting Assistant Field Supervisor and Scott Wilson, Environmental Program Manager	June 22, 2020
State		
S1	Office of Planning and Research, State Clearinghouse Meng Heu, CEQA Analyst	June 24, 2020
Local		
L1	City of Menifee Cheryl Kitzerow, AICP, Community Development Director and Jonathan Smith, City Engineer/Director of Public Works	June 22, 2020
L2	Riverside County Flood Control and Water Conservation District Deborah De Chambeau, Engineering Project Manager	June 2, 2020
Organizations		
O1	California Mountain Biking Coalition Susie Murphy, Secretary	June 22, 2020
O2	Center for Biological Diversity Peter Broderick, Staff Attorney	June 22, 2020
O3	Endangered Habitats League Dan Silver, Executive Director	May 14, 2020
O4	Open Space and Trails Preservation for Murrieta Todd Downing	June 22, 2020
O5	San Diego Mountain Biking Association Susie Murphy, Executive Director	June 22, 2020
O6	Sierra Club Pam Nelson, Chair	June 17, 2020



Tribal Comments		
T 1	Pechanga Indian Reservation, Temecula Band of Luiseño Mission Indians Michele Fahley, Deputy General Counsel	June 22, 2020
T 2	Rincon Band of Luiseño Indians Cheryl Madrigal, Tribal Historic Preservation Officer and Cultural Resources Manager	May 26, 2020
General Public		
G 1	Bryce Bishop	June 22, 2020
G 2	Jose Cavazos	May 14, 2020
G 3	Sheila Curtis	May 19, 2020
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G 5	Kylan Everett	June 22, 2020
G 6	Dennis Fitzpatrick	June 17, 2020
G 7	Jay Glassman	June 2, 2020
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G 9	Paul Herold	June 5, 2020
G 10	Tasha Johns	May 19, 2020
G 11	Paul Jones	June 22, 2020
G 12	Tim Karnes	June 17, 2020
G 13	John Knight	May 13, 2020
G 14	Jeffrey Lanuzo	June 22, 2020
G 15	Cory Lesovsky	May 22, 2020
G 16	Robert MacKay	June 11, 2020
G 17	Brenna Mayo	May 26, 2020
G 18	Susie Murphy	June 22, 2020
G 19	Vanessa Nguyen	May 21, 2020
G 20	Todd Niebauer	June 22, 2020
G 21	Mike Pollastro	May 22, 2020
G 22	Dalton Rasmussen	May 22, 2020
G 23	venividivicib18@gmail.com	May 23, 2020
Late Comments (received after June 22, 2020)		
LATE 1	Inland Valley Mountain Bike Association, Tom Jones	June 23, 2020
LATE 2	Michael Shirley	June 23, 2020
LATE 3	James Church	July 16, 2020
LATE 4	Travis John	July 19, 2020

A copy of the comments received on the DEIR are included in the Final Environmental Impact Report and can be found in Attachment No. 5 to the Staff Report. As a result of the comments received, minor modifications to the Draft EIR and mitigation measures have been made which do not substantially affect



the EIR or proposed mitigation measures and do not warrant recirculation of the environmental impact report. These modifications are included in the Errata to the Draft Environmental Impact Report which is included in the Final Environmental Impact Report in Attachment No. 5. None of the corrections or additions constitutes significant new information or substantial project changes requiring recirculation of the EIR, as defined by Section 15088.5 of the CEQA Guidelines.

Staff along with the DEIR consultant have prepared responses to the comments received. The Responses to Comments are located in the Final Environmental Impact Report which is located as Attachment No. 5 to the Staff Report. Also included in Attachment No. 5 is the Mitigation Monitoring and Reporting Program (MMRP) for the Project.

As noted above, the DEIR determined that the Murrieta Hills Project will result in 5 significant unavoidable significant impacts including: aesthetics, air quality, greenhouse gas emissions, noise and transportation. Findings of Fact and a Statement of Overriding Considerations have been prepared and are included in Attachment No. 6.

It is recommended that the Planning Commission make a recommendation to the City Council that it certifies that the Draft EIR has been (1) prepared in compliance with CEQA; (2) the EIR was presented to the Planning Commission and the Planning Commission reviewed and considered the information in the EIR prior to recommending that the City Council approve the project, including a determination that the EIR contains mitigation measures that mitigate a majority of the environmental impacts to a level of less than significant; (3) for items not mitigated and therefore would potentially cause significant impacts, a Statement of Overriding Consideration has been prepared determining the project benefits outweigh the potential impacts, and (4) the EIR reflects the City of Murrieta's independent judgment and analysis.

Public Input/Community Outreach

A scoping meeting was held on April 9, 2014 at Murrieta City Hall to obtain comments from the public and agencies regarding the scope of the environmental document. On July 26, 2019 a meeting was held between Loma Linda University Health Hospital and the Project Applicant to discuss the proposed Project and receive input from Loma Linda if they had any issues with the Murrieta Hills Project. On August 22, 2019 a letter was distributed to 250 Greer Ranch residents describing the Murrieta Hills Project and asking for questions and input from Greer Ranch residents. On September 13, 2019 a meeting was held between the Project Applicant and representatives of Kaiser Hospital. On October 12, 2019 a meeting between approximately 100 Greer Ranch residents and the Project Applicant took place and on July 3, 2020 a direct mail piece was distributed to 10,943 Murrieta residents that included a tear off card for supporters to return (see Attachment No. 8). On September 18, 2020 a follow up meeting was held with the Project Applicant and Kaiser Hospital staff and on November 6, 2020 a follow up meeting was held with Loma Linda University Health and the Project Applicant. The purpose of those meetings was to advise Kaiser and Loma Linda of the project status and to determine if either entity had any additional questions or concerns with the proposed project.

NOTICING

The Planning Commission's public hearing for the proposal was noticed in compliance with Section 16.76 of the Murrieta Development Code. The City posted two signs on the project



site, mailed notices to all property owners within a half-mile radius of the Project and advertised in the newspaper a minimum of 10 days prior to the hearing. Additionally, all persons/organizations who commented on the DEIR were sent a notice of the public hearing along with written responses to their comments that had been submitted on the DEIR.

An environmental impact report was prepared for the Murrieta Hills Project and was circulated for a 45-day public review and comment period from May 8, 2020 to June 22, 2020. Pursuant to the California Governor's Executive Order N-54-20 an electronic PDF of the DEIR was available for download on the City website. Additionally, signs were posted on the property and a legal advertisement was placed in the Press Enterprise newspaper stating where the DEIR was available for download and the dates of the public review comment period. The MHSPA EIR evaluated potential environmental impacts resulting from the amendment and replacement of the original Murrieta Hills Specific Plan No. SPM-4, including any required off-site improvements, and annexation of the property into the City. The MHSPA EIR superseded the 1995 Murrieta Hills Specific Plan EIR and established new requirements and guidelines for the development of the master planned community. The MHSPA EIR focused on the following potential significant environmental issues (significant unavoidable impacts are noted in ***bold/italics***):

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G 23	venividivib18@gmail.com	May 23, 2020
Late Comments (received after June 22, 2020)		
LATE 1	Inland Valley Mountain Bike Association, Tom Jones	June 23, 2020
LATE 2	Michael Shirley	June 23, 2020
LATE 3	James Church	July 16, 2020
LATE 4	Travis John	July 19, 2020

A copy of the comments received on the DEIR are included in the Final Environmental Impact Report and can be found in Attachment No. 5 to the Staff Report. As a result of the comments received, minor modifications to the Draft EIR and mitigation measures have been made which do not substantially affect the EIR or proposed mitigation measures and do not warrant recirculation of the environmental impact report. These modifications are included in the Errata to the Draft Environmental Impact Report which is included in the Final Environmental Impact Report in Attachment No. 5. None of the corrections or additions constitutes significant new information or substantial project changes requiring recirculation of the EIR, as defined by Section 15088.5 of the CEQA Guidelines.

Staff along with the DEIR consultant have prepared responses to the comments received. The Responses to Comments are located in the Final Environmental Impact Report which is located as Attachment No. 5 to the Staff Report. Also included in Attachment No. 5 is the Mitigation Monitoring and Reporting Program (MMRP) for the Project.

As noted above, the DEIR determined that the Murrieta Hills Project will result in 5 significant unavoidable significant impacts including: aesthetics, air quality, greenhouse gas emissions, noise and transportation. Findings of Fact and a Statement of Overriding Considerations have been prepared and are included in Attachment No. 6.

It is recommended that the Planning Commission make a recommendation to the City Council that it certifies that the Draft EIR has been (1) prepared in compliance with CEQA; (2) the EIR was presented to the Planning Commission and the Planning Commission reviewed and considered the information in the EIR prior to recommending that the City Council approve the project, including a determination that the EIR contains mitigation measures that mitigate a majority of the environmental impacts to a level of less than significant; (3) for items not mitigated and therefore would potentially



cause significant impacts, a Statement of Overriding Consideration has been prepared determining the project benefits outweigh the potential impacts, and (4) the EIR reflects the City of Murrieta's independent judgment and analysis.

Public Input/Community Outreach

A scoping meeting was held on April 9, 2014 at Murrieta City Hall to obtain comments from the public and agencies regarding the scope of the environmental document. On July 26, 2019 a meeting was held between Loma Linda University Health Hospital and the Project Applicant to discuss the proposed Project and receive input from Loma Linda if they had any issues with the Murrieta Hills Project. On August 22, 2019 a letter was distributed to 250 Greer Ranch residents describing the Murrieta Hills Project and asking for questions and input from Greer Ranch residents. On September 13, 2019 a meeting was held between the Project Applicant and representatives of Kaiser Hospital. On October 12, 2019 a meeting between approximately 100 Greer Ranch residents and the Project Applicant took place and on July 3, 2020 a direct mail piece was distributed to 10,943 Murrieta residents that included a tear off card for supporters to return (see Attachment No. 8). On September 18, 2020 a follow up meeting was held with the Project Applicant and Kaiser Hospital staff and on November 6, 2020 a follow up meeting was held with Loma Linda University Health and the Project Applicant. The purpose of those meetings was to advise Kaiser and Loma Linda of the project status and to determine if either entity had any additional questions or concerns with the proposed project.

Conclusion

Staff recommends that the Planning Commission recommend to the City Council approval of the Murrieta Hills Project based on the following findings:

1. The Draft Environmental Impact Report was prepared in compliance with the requirements of CEQA.
2. The Statement of Overriding Consideration (Attachment No. 6) adequately identifies the project's significant impacts (aesthetics, air quality, greenhouse gas emissions, noise and transportation) that could not be feasibly mitigated to a level of less than significant and has determined that the benefits of the project outweigh the unavoidable significant environmental impacts.
3. The Development Agreement allows for the orderly development of the Murrieta Hills Specific Plan and are in the best interests of the City of Murrieta.
4. Upon annexation to the City, the Amendment to the Murrieta Hills Specific Plan will be in conformance with the City's General Plan and will be compatible with future uses planned for the area in the vicinity of the project site.
5. The proposed extension of McElwain Road from Keller Road to Linnel Lane will provide a critical circulation link for residents of the City of Murrieta and for emergency responders.
6. The Project provides for the dedication of right-of-way for the future Keller Road/I-215 interchange which will provide additional access to the site and surrounding area.
7. The proposed Project is being developed at an intensity consistent with the City's General Plan Land Use Element.
8. The project site is located in an area that the City has planned circulation



- improvements including the extension of McElwain Road and the construction of a new interchange at I-215 and Keller Road.
9. EMWD has planned utility system upgrades to serve future development in this area including both water and sewer line upgrades.

ATTACHMENTS

Planning Commission Resolutions identified as follows:

- R1 California Environmental Quality Act ("CEQA") Resolution
- R2 General Plan Amendment ("GPA") Resolution
 - a. GPA Resolution Exhibits
- R3 Development Agreement Resolution
- R4 Specific Plan Resolution
- R5 Change of Zone Resolution
- R6 Tract 35853 Resolution
 - a. Exhibit A to Resolutions - Draft Specific Plan Amendment Conditions of Approval
 - b. Exhibit B to Resolutions - Draft Tract 35853 Conditions of Approval

Attachment No. 1 - Vicinity Map/Zone Map

Attachment No. 2 - Specific Plan Amendment document

Attachment No. 3 - Draft Environmental Impact Report

Attachment No. 4 - Development Agreement between City of Murrieta and Pulte/BP Murrieta LLC

Attachment No. 5 - Final Environmental Impact Report

- a. Comment Letters and Responses – Refer to Final EIR section 2.0, beginning at page 2-1
- b. Errata – Refer to Final EIR section 3.0, beginning at page 3-1
- c. Draft Notice of Determination
- d. MMRP

Attachment No. 6 – Findings of Fact and Statement of Overriding Considerations

Attachment No. 7 – Tract 35853; Sheets 1-15

Attachment No. 8 – Project Site Plans

Attachment No. 9 – Correspondence by the public after the 4/28/21 Planning Commission public hearing notice was provided.