

ORDINANCE NO. 2023-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PLANNED DEVELOPMENT OVERLAY AMENDMENT TO THE LINFIELD CHRISTIAN SCHOOL PLANNED DEVELOPMENT OVERLAY (PDO-7) GENERALLY LOCATED NORTH OF PAUBA RD., SOUTH OF RANCHO VISTA RD., EAST OF TEMECULA VALLEY HIGH SCHOOL, AND WEST OF GREEN TREE RD., AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (APN: 955-020-012, 017, 018, AND 019) (PA23-0260)

THE CITY COUNCIL OF THE CITY OF TEMECULA DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Procedural Findings. The City Council of the City of Temecula does hereby find, determine and declare that:

A. The Linfield Christian School Planned Development Overlay was approved by the City Council on September 16, 2003 by the adoption of Ordinance No. 03-09. The Linfield Christian School Planned Development Overlay as approved shall be referred to in this Ordinance as the “PDO”.

B. On June 23, 2023, Linfield Christian School filed Planning Application No. PA23-0260, a Planned Development Overlay Amendment in a manner in accord with the City of Temecula General Plan and Development Code.

C. This application was filed in a manner in accord with the City of Temecula General Plan and Development Code.

D. On September 6, 2023 the Planning Commission of the City of Temecula held a duly noticed public hearing on the proposed Project at which time all persons interested in these actions had the opportunity and did address the Planning Commission.

E. Following consideration of the entire record of information received at the public hearings and due consideration of the proposed Project, the Planning Commission adopted Resolution No. 2023-15, “A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA RECOMMENDING THAT THE CITY COUNCIL ADOPT AN ORDINANCE ENTITLED “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA APPROVING A PLANNED DEVELOPMENT OVERLAY AMENDMENT TO THE LINFIELD CHRISTIAN SCHOOL PLANNED DEVELOPMENT OVERLAY (PDO-7) GENERALLY LOCATED NORTH OF PAUBA RD., SOUTH OF RANCHO VISTA RD., EAST OF TEMECULA VALLEY HIGH SCHOOL, AND WEST OF GREEN TREE RD., AND MAKE A FINDING OF EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (APN: 955-020-012, 017, 018, AND 019) (PA23-0260)”

F. On October 24, 2023, the City Council considered the Project at a duly noticed public hearing which time the City staff presented its report, and all interested persons had an opportunity to and did testify either in support or in opposition to the Project.

G. All legal preconditions to the adoption of this Resolution have occurred.

Section 2. Legislative Findings. The City Council in approving the Planned Development Overlay/Zone Change hereby makes the following findings:

A. The proposed Ordinance is in conformance with the General Plan for Temecula and with all applicable requirements of State law and other Ordinances of the City.

The proposed Planned Development Overlay Amendment Ordinance conforms to the City of Temecula General Plan Land Use Element. Furthermore, the proposed Zone Planned Development Overlay Amendment Ordinance directly responds to Goal 1 Policy LU-1.1 and LU-1.2 of the General Plan Land Use Element which is to promote the use of innovative site planning techniques that contribute to development of a variety of residential products styles and designs, including housing suitable for the community's labor force.

The proposed project is also consistent with the above General Plan Land Use Element goal and policy in that an integrated mix of residential (including school faculty labor force), commercial, recreational, public, and open space land uses are all provided for within the PDO Schedule of Permitted Uses.

B. The adoption of the Ordinance will not result in a loss of residential capacity in the City.

Government Code section 63000(b) prohibits a city from changing the zoning of parcel where housing is an allowable use to a less intensive use than what was allowed under the land use designation or zoning ordinances as in effect on January 1, 2018 unless the city concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity. Senior housing is a conditionally permitted use in Planning Area 3 and is not permitted in Planning Area 1. The proposed lot line adjustment will result in a reduction of residential capacity in Planning Area 3 by 14.82 acres. As such, two new sub-areas that total 14.82 acres are proposed to be added to Planning Area 1 that will allow for senior housing with a conditional use permit. Therefore, the housing capacity being lost from Planning Area 3 has been added to Planning Area 1 so that there is no loss in residential capacity for senior housing in the City.

Section 3. CEQA. This Ordinance, which approves an amendment to the Planned Development Overlay, is exempt from CEQA review pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the adoption of the Ordinance may have a significant effect on the environment and Section 15305 (Minor Alterations in Land Use Limitations) as the average slope of the property is less than 20%, the project does not propose any changes in land use or density and only involves the adjustments to

the lot lines of three (3) Planning Areas and the creation of two (2) new sub-areas within Planning Area 1. The lot line adjustment will reduce Planning Area 3, which allows senior housing as a conditionally permitted use. As such, Planning Areas 1C and 1D were added to Planning Area 1 which will allow senior housing at the same density and same acreage as was removed from Planning Area 3. As such, there are no changes in land use or density as a result of the PDO amendment.

Section 4. Zoning Code Amendment. The City Council hereby amends Chapter 17.22 (PLANNED DEVELOPMENT OVERLAY ZONING DISTRICT (PDO-7)) of Title 17 (Zoning) of the Temecula Municipal Code by amending Article VIII, entitled “Linfield Christian School Planned Development Overlay District 7” to read as provided in Exhibit A, attached to this Ordinance and incorporated herein as thought set forth in full.

Section 5. Severability. If any portion, provision, section, paragraph, sentence, or word of this Ordinance is rendered or declared to be invalid by any final court action in a court of competent jurisdiction, or by reason of any preemptive legislation, the remaining portions, provisions, sections, paragraphs, sentences, and words of this Ordinance shall remain in full force and effect and shall be interpreted by the court so as to give effect to such remaining portions of the Ordinance.

Section 6. Effective Date. This Ordinance shall take effect thirty (30) days after its adoption.

Section 7. Notice of Adoption. The City Clerk shall certify to the adoption of this Ordinance and cause it to be published in the manner required by law.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula this 14th day of November, 2023.

Zak Schwank, Mayor

ATTEST:

Randi Johl, City Clerk

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE) ss
CITY OF TEMECULA)

I, Randi Johl, City Clerk of the City of Temecula, do hereby certify that the foregoing Ordinance No. 2023-09 was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 24th day of October, 2023, and that thereafter, said Ordinance was duly adopted by the City Council of the City of Temecula at a meeting thereof held on the 14th day of November, 2023 by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk