

**PC RESOLUTION NO. 2023-**

**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 AMENDING TITLES 5 AND 17 OF THE TEMECULA MUNICIPAL CODE MAKING MINOR REVISIONS TO MASSAGE ESTABLISHMENT, ACCESSORY DWELLING UNIT, HOME OCCUPATION PERMIT, AND TEMPORARY USE PERMIT REGULATIONS, ESTABLISH BATTERY STORAGE AND SHIPPING CONTAINER STANDARDS, CLARIFY THE PERMITTED USES ALLOWED IN THE OPEN SPACE-CONSERVATION DISTRICT, MODIFY THE DEFINITION OF SPECIALTY MARKET AND RESTAURANT, ADD DEFINITION FOR HEALTH AND EXERCISE CLUBS, MAKE OTHER CLERICAL REVISIONS AND MAKE A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061 (B)(3).”**

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

A. City staff identified the need to make revisions and clarifications to portions of Title 5 (Business Licenses and Regulations) and Title 17 (Zoning) of the Temecula Municipal Code.

B. The Planning Commission, at a regular meeting, considered the proposed amendments to Title 5 (Business Licenses and Regulations) and Title 17 (Zoning) of the Temecula Municipal Code on November 1, 2023, at a duly noticed public hearing as prescribed by law, at which time the City staff and interested persons had an opportunity to, and did testify either in support or opposition to this matter.

C. The proposed amendments to Title 5 & 17 are consistent with the City of Temecula General Plan, and each element thereof.

D. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission recommended that the City Council adopt the Ordinance attached hereto as Exhibit “A”.

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

Section 2. Further Findings. The Planning Commission of the City of Temecula does hereby find, determine and declare that:

The Planning Commission, in recommending adoption of the proposed Ordinance, hereby makes the following additional findings as required by Section 17.01.040 (“Relationship to General Plan”) of the Temecula Municipal Code:

1. The proposed use is allowed in the land use designation in which the use is located, as shown on the land use map, or is described in the text of the general plan.

Except for the amendments pertaining to the Open Space-Conservation (OS-C) Zoning designation, none of the proposed Code Amendments change the types of uses allowed in City. The Code Amendments remove riding stables and shooting galleries as conditionally permitted uses the OS-C zoning designation. These uses are inconsistent with the Open Space land use designation and are being removed to correct an inconsistency within the code. All other proposed amendments are operational clarifications and typographical edits and do not propose any land use changes contrary to the adopted General Plan.

2. The proposed uses are in conformance with the goals, policies, programs and guidelines of the elements of the general plan.

The proposed changes to Title 17 conform with the goals, policies, programs and guidelines of the elements of the General Plan. The proposed changes modify the time the Office of Administrative Hearing has to render a decision on mass appeal is consistent with Goal 2 of the Growth Management/Public Facilities Element of the Temecula General Plan, which is to ensure “Orderly, and efficient patterns of growth that enhance quality of life for Temecula residents.” Implementing an Accessory Dwelling Unit (ADU) addressing policy furthers Goal 4 of the Public Safety Element of the General Plan which states, “An effective response of emergency services following a disaster.” Adopting development standards for external staircases, security bars, storage/shipping containers and grid scale energy storage facilities furthers Goal 6 of the Land Use Element of the General Plan which is to ensure, “A development pattern that preserves aesthetics and enhances the environmental resources of the Planning Area.” The definition modifications further clarify what use constitutes a “Specialty Market,” and “Health and Exercise Club” in furtherance of Goal 5 of the Land Use Element of the General Plan which states, “A land use pattern that protects and enhances residential neighborhoods.” The remaining proposed amendments to the Temecula Municipal Code are minor clarifications and a correction of typographical edits and do not result in an inconsistency between the Temecula Municipal Code and the adopted General Plan.

3. The proposed uses are to be established and maintained in a manner which is consistent with the general plan and all applicable provisions contained therein.

The proposed amendments to Title 17 of the Temecula Municipal Code do not propose any land use that is inconsistent with the Temecula General Plan. The majority of the Code Amendments do not create or allow new uses where they were not previously

allowed. Only the revisions to the Open Space-Conservation (OS-C) Zoning district impact the use of land. The Code Amendments remove riding stables and shooting galleries as permitted uses in the OS-C zoning designation. These uses are inconsistent with the types of uses permitted in the OS-C Zoning district and are being removed to correct an inconsistency within the code.

Section 3. Environmental Compliance. In accordance with the California Environmental Quality Act, the proposed Ordinance No. 2023- is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to Title 14 of the California Code of Regulations, Section 15061 (b) (3) because it can be seen with certainty that there is no possibility that the Ordinance will have a significant effect on the environment. The Code Amendments impose regulations on existing uses, but do not increase the intensity or density of any land use or allow any development where it was not otherwise permitted. The Planning Commission, therefore, recommends that the City Council of the City of Temecula adopt a Notice of Exemption for the proposed ordinance.

Section 4. Recommendation. The City of Temecula Planning Commission hereby recommends the City Council approve Planning Application No. LR23-0180, a proposed Citywide Ordinance as set forth on Exhibit “A”, attached hereto, and incorporated herein by this reference.

**PASSED, APPROVED AND ADOPTED** by the City of Temecula Planning Commission this 1st day of November 2023.

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Lanae Turley-Trejo, Chair

ATTEST:

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Luke Watson  
Secretary

[SEAL]

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

I, Luke Watson, Secretary of the Temecula Planning Commission, do hereby certify that the forgoing PC Resolution No. 2023-\_\_ was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 1st day of November 2023, by the following vote:

AYES:                   PLANNING COMMISSIONERS:

NOES:                   PLANNING COMMISSIONERS:

ABSTAIN:               PLANNING COMMISSIONERS:

ABSENT:                PLANNING COMMISSIONERS:

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Luke Watson  
Secretary