

PC RESOLUTION NO. 2025-

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, 8, AND 17 OF THE TEMECULA MUNICIPAL CODE TO IMPLEMENT SB 1186 TO INCLUDE PERMITTING REQUIREMENTS AND OPERATIONAL STANDARDS TO ALLOW FOR A NON-STOREFRONT (DELIVERY ONLY) MEDICINAL CANNABIS RETAILER AND MAKING A FINDING THAT THIS ORDINANCE IS EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) PURSUANT TO CEQA GUIDELINES SECTION 15060(C)(2) AND SECTION 15061(B)(3)”

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

A. On September 18, 2022 Governor Newsom signed into law Senate Bill 1186 (SB 1186), which is known as the Medicinal Cannabis Patients' Right to Access Act, based on the premise that there are barriers to medicinal cannabis access for patients in California. Effective January 1, 2024, cities are prevented from adopting or enforcing any regulation that prohibit or unreasonably burden medical cannabis patients or primary caregivers access to medical cannabis. This includes prohibiting unreasonable restrictions on the sale or delivery of medical cannabis.

B. City staff identified the need to make revisions and clarifications to portions of Title 5 (Business Licenses and Regulations), Title 8 (Health and Safety), and Title 17 (Zoning) of the Temecula Municipal Code to implement the changes to state law to allow for one medicinal cannabis delivery business from the City.

C. The Planning Commission, at a regular meeting, considered the proposed amendments to Title 5 (Business Licenses and Regulations), Title 8 (Health and Safety), and Title 17 (Zoning) of the Temecula Municipal Code on October 1, 2025, 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.

D. The proposed amendments to Title 5, 8, & 17 are consistent with the City of Temecula General Plan, and each element thereof.

E. 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”.

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

Section 2. Further Findings. In recommending adoption of the proposed Ordinance, the Planning Commission of the City of Temecula does hereby make the following additional findings as required by Section 17.01.040 (“Relationship to General Plan”) of the Temecula Municipal Code:

1. The proposed uses are 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.

The proposed changes to Title 17 include adding a non-storefront medicinal cannabis delivery establishment as a permitted use exclusively within the Light Industrial Zoning Designation. This change is being made to comply with SB 1186 and recent changes to state law concerning recreational and medicinal cannabis. All other proposed amendments are minor clarifications and typographical edits and do not propose any land use changes contrary to the adopted General Plan. 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.

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

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 Light Industrial (LI) Zoning District impact the use of land. The Code Amendments would add “Medicinal Cannabis Delivery Service” as a land use in the LI Zoning District. Furthermore, the Code Amendment is consistent with Policy 1.4 “Support development of light industrial, clean manufacturing, technology, biomedical, research and development, and office uses to diversify Temecula's economic base” of the Land Use Element because it adds a use the city is required to allow under state law that could diversify the city’s economic base. The remaining proposed amendments to the Temecula Municipal Code are minor clarifications and typographical edits and do not result in a contrary policy direction or indicate 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 5, 8, and 17 of the Temecula Municipal Code do not propose any land use that is inconsistent with the Temecula General Plan. The proposed changes to cannabis regulations modify definitions, implement a permitting mechanism for non-storefront cannabis delivery service, furthers Policy 3.1 of the Economic Development Element of the Temecula General Plan, which is to “Encourage a pattern of development that balances revenue generating land uses in phase with other uses that have negative fiscal impacts.” The addition of operational requirements, including separation and security requirements furthers Policy 1.1 of the Land Use Element of the Temecula General Plan, which is to “Review all proposed development plans for consistency with community goals, policies and implementation programs of this General

Plan, and consider potential impacts on surrounding land uses and infrastructure. Additionally, the Code Amendments furthers Goal 3 of the Community Design Element of the Temecula General Plan which is to ensure “Preservation and enhancement of the positive qualities of individual districts or neighborhood.” All other proposed amendments are clarifications and typographical edits and do not propose any land use changes contrary to the adopted General Plan.

Section 3. Environmental Compliance. This ordinance is exempt from the requirements of the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Sections 15060(c)(2) and 15061(b)(3). The Municipal Code amendments would allow a non-storefront medicinal cannabis delivery service use within the Light Industrial (LI) zoning district subject to a regulatory permit. The cannabis delivery business authorized under this Municipal Code amendment is similar to already existing permitted general uses such as warehousing and distribution uses, with the only difference being the product sold (i.e., medicinal cannabis and medicinal cannabis products). The Ordinance does not change the zoning for any properties, meaning that they do not create negative environmental impacts or result in physical changes to the environment. The activity is not subject to CEQA because it will not result in a direct or reasonably foreseeable indirect physical change in the environment; and the activity is covered by the general rule that CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity may have a significant effect on the environment, the activity is not subject to CEQA. The businesses authorized under this Municipal Code amendment are similar to already existing permitted general uses such as retail, with the only difference being the product sold (i.e., medicinal cannabis and medicinal cannabis products). The Ordinance does not change the zoning for any properties, meaning that they do not create negative environmental impacts or result in physical changes to the environment. A Notice of Exemption has been prepared and will be filed in accordance with CEQA and the State CEQA Guidelines.

Section 4. Recommendation. The City of Temecula Planning Commission hereby recommends the City Council approve Planning Application No. LR24-0090, 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 October 2025.

Lanae Turley-Trejo, Chair

ATTEST:

Matt Peters
Secretary

[SEAL]

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

I, Matt Peters, Secretary of the Temecula Planning Commission, do hereby certify that the forgoing PC Resolution No. 2025- 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 October, 2025, by the following vote:

AYES: PLANNING COMMISSIONERS:

NOES: PLANNING COMMISSIONERS:

ABSTAIN: PLANNING COMMISSIONERS:

ABSENT: PLANNING COMMISSIONERS:

Matt Peters
Secretary