

RESOLUTION NO. 2024-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING SPECIFIC PLAN AMENDMENT NO. 11 TO THE OLD TOWN SPECIFIC PLAN TO 1) ADD CLASS IV ENTERTAINMENT ESTABLISHMENT AS A PERMITTED USE IN THE DOWNTOWN CORE DISTRICT, 2) IMPLEMENT A ONE YEAR OUTDOOR LIVE ENTERTAINMENT PILOT PROGRAM, AND 3) MAKING A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(B)(3)

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

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

A. A new ABC Type 90 license became effective on January 1, 2024. An ABC Type 90 license allows for the sale of distilled which allows for the sale of beer, wine, and distilled spirits at retail for consumption on the premises in a music entertainment facility without food service. Minors are permitted on the premises. The City Council directed staff to amend the Old Town Specific Plan to allow for a business to operate with a Type 90 license and to establish standards for this license type.

B. In addition, the City Council directed staff to allow outdoor live entertainment in the Old Town Specific Plan in an effort to provide even more entertainment options in Old Town.

Section 2. Procedural Findings. The City Council of the City of Temecula does hereby find, determine, and declare that:

A. On June 5, 2024, the Temecula Planning Commission considered this Resolution 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. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission adopted Resolution No. 2024-09 recommending approval of the Resolution by the City Council.

B. On July 9, 2024, the City Council, at a regular meeting, considered the Resolution 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. Following the public hearing, the City Council considered the entire record of information received at the public hearings before the Planning Commission and City Council.

Section 3. Further Findings. The City Council of the City of Temecula in approving the proposed Municipal Code amendments hereby makes the following additional findings as required by Section 17.16.020.

A. The proposed Specific Plan Amendment is consistent with the General Plan and Development Code.

The proposed Specific Plan Amendment conforms to the existing policies within the City of Temecula General Plan. The proposed Specific Plan Amendment will allow a class IV entertainment establishment (a business with a Type 90 ABC license that provides live entertainment) in the Downtown Core area of the Old Town Specific Plan. In addition, the Specific Plan amendment will allow for a pilot program that will allow outdoor live entertainment in Old Town. The General Plan Land Use Element, as noted on page LU-26, anticipates that the City will provide comprehensive planning of large areas and identifies the Old Town Specific Plan as a specific plan area. The proposed Specific Plan Amendment is consistent with the General Plan Land Use Element Goal 7 of having “A viable, high-quality Old Town Temecula area that enhances the City economically, preserves historic structures, and provides civic, cultural, shopping, and meeting and gathering places for tourists and residents.” Allowing live entertainment will further the goal of providing cultural gathering places for tourists and residents.

B. The proposed specific plan amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city.

The proposed Specific Plan Amendment has been reviewed pursuant to the City’s General Plan and all applicable State laws and has been found to be consistent with the policies, guidelines, standards and regulations intended to ensure that the live entertainment will be conducted in a manner consistent with the public health, safety and welfare.

C. The subject property is physically suitable for the requested land use designations and the anticipated land use developments.

The Old Town Specific Plan consists of approximately 153 acres, and the subject area of the Specific Plan Amendment (the Downtown Core district) comprises approximately 48 acres of the Specific Plan. As outlined in the Land Use Element of the City’s General Plan (page LU-32), the purpose of Specific Plans is to provide a comprehensive planning document for large areas so that a coordinated planning approach is provided for all anticipated land use developments. As such, the entire Specific Plan area has been reviewed based on existing structures and future build out potential and is physically suitable for the land use designations provided by the Old Town Specific Plan. The Specific Plan amendment does not make any revisions to the land uses allowed in the Old Town Specific Plan. Instead, it will allow existing businesses to provide live entertainment.

D. The proposed specific plan amendment shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

As identified within the City's General Plan Land Use Element, page LU-30, Old Town Temecula is a strong identification point for the City and the City desires to ensure that Old Town remains a focal point for social, cultural, civic, tourist and economic development activities. The Old Town Specific Plan was originally adopted to support and complement the desirable character of Temecula's downtown and the proposed Amendment to the Old Town Specific Plan further supports its downtown character. The City's General Plan Land Use Element states that the City will continue to implement the Old Town Specific Plan and will modify or amend it as needed to respond to development trends in the area (LU-40). As such, the proposed Amendment to the Old Town Specific Plan provides a means to enhance the area economically while also ensuring the development of a desirable character compatible with existing and proposed development in Old Town and the surrounding neighborhood.

Section 4. Environmental Findings. In accordance with the California Environmental Quality Act (CEQA), Specific Plan Amendment No. 11 to the Old Town Specific Plan has been deemed to be exempt from further environmental review as there is no possibility that the proposed action would have a significant impact on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The Specific Plan amendment allows for one class IV entertainment establishment in the Downtown Core area of the Old Town Specific Plan. This license type would be granted to an already existing business that already holds a Type 42 ABC license and that also holds a Type 90 ABC license. This would be an expansion of an already existing use in that the use could now hold specific events. In addition, the Specific Plan amendment will allow existing businesses to provide live outdoor entertainment, on a temporary basis as a one year pilot program. Therefore, there is no possibility this amendment would have a significant effect on the environment.

Section 5. Specific Plan Amendment. The City Council hereby adopts Specific Plan Amendment No. 11 to the Old Town Specific Plan as set forth in Exhibit "A".

Section 6. Severability. If any section or provision of this Resolution is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Resolution shall remain valid. The City Council hereby declares that it would have adopted this Resolution, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

Section 7. Effective Date. This Resolution shall take effect on the same date that Ordinance No. 2024- takes effect.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of Temecula
this 9th day of July, 2024.

James Stewart, 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 Resolution No. 2024- was duly and regularly adopted by the City Council of the City of Temecula at a meeting thereof held on the 9th day of July, 2024, by the following vote:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

Randi Johl, City Clerk