

**ORDINANCE NO. 2023-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEMECULA AMENDING TITLE 17 OF THE TEMECULA MUNICIPAL CODE TO IMPLEMENT THE PROGRAMS IN THE CITY'S HOUSING ELEMENT BY (1) ADDING DEFINITIONS FOR AGRICULTURAL EMPLOYEE HOUSING, EMPLOYEE HOUSING, FAMILY DAY CARE HOME, LARGE FAMILY DAY CARE HOME, LOW BARRIER NAVIGATION CENTER AND SMALL FAMILY DAY CARE HOME, (2) PROVIDING THAT EMPLOYEE HOUSING AND AGRICULTURAL EMPLOYEE HOUSING ARE PERMITTED USES IN THE HR, RR, VL, L-1, L-2, LM, M, AND H ZONES, (3) PROVIDING THAT RESIDENTIAL CARE FACILITIES FOR THE ELDERLY (SEVEN OR MORE) ARE PERMITTED USES IN THE HR, RR, VL, L-1, L-2, LM, AND HR-SM ZONES, (4) PROVIDING THAT RESIDENTIAL CARE FACILITIES (SEVEN OR MORE) ARE PERMITTED USES IN THE HR, RR, VL, L-1, L-2, LM, M, AND HR-SM ZONES, (5) PROVIDING THAT COMMUNITY CARE FACILITIES ARE PERMITTED IN ALL RESIDENTIAL ZONES, (6) ADDING SUPPORTIVE HOUSING STANDARDS, (7) PROVIDING THAT SUPPORTIVE HOUSING, TRANSITIONAL HOUSING AND LOW BARRIER NAVIGATION CENTERS ARE PERMITTED USES IN THE NC, CC, HT, SC, PO, PI, PDO-2, PDO-4R, PDO-5, PDO-6, PDO-7, PDO-10, AND PDO-14 ZONES, (8) PROVIDING THAT TRANSITIONAL HOUSING AND SUPPORTIVE HOUSING ARE A PERMITTED USE IN THE PDO-11, PDO-12 AND PDO-15 ZONES, (9) UPDATING EMERGENCY SHELTER PARKING STANDARDS, (10) REVISING REASONABLE ACCOMMODATION REGULATIONS, (11) REVISING PARKING STANDARDS FOR MULTI-FAMILY RESIDENTIAL USES WITH 12 UNITS OR LESS, (12) MAKING OTHER REVISIONS TO CONFORM WITH CHANGES IN STATE LAW, AND (13) MAKING A FINDING THAT NO FURTHER ENVIRONMENTAL REVIEW IS REQUIRED UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES SECTION 15162**

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

**Section 1. Findings.** The City Council 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 17 (Zoning) of the Temecula Municipal Code.

B. The code amendments are being made to ensure the Temecula Municipal Code is amended in conformity with the housing programs that the City committed to when it adopted the 2021-2029 Housing Element and amendments needed to conform to changes in State law.

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

A. On October 18, 2023, the Temecula Planning Commission considered this Ordinance 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.

B. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission adopted Resolution No. 2023-18 recommending approval of the Ordinance by the City Council.

C. On November 14, 2023, the City Council, at a regular meeting, considered the Ordinance 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. 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 17.01.040 ("Relationship to General Plan") of the Temecula Municipal Code:

A. The 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;

The Ordinance implements the goals and policies contained in the City's 2021-2029 Housing Element. Inclusion of Agricultural Employee and Employee housing furthers Policy 1.2 of the Housing Element which is to, "Encourage residential development that provides a range of housing types in terms of cost, density, unit size, configuration, and type, and presents the opportunity for local residents to live and work in the same community by balancing jobs and housing types." Inclusion of Residential Care Facilities, Residential Care Facilities for the Elderly, Community Care Facilities implements Goal 2 of the Housing Element which is to, "Provide housing for people of different economic segments and with special needs." Addition of Supportive Housing, Transitional Housing, and Low Barrier Navigation Centers furthers Goal 5 of the Housing Element which is to, "Affirmatively further fair housing, providing equal housing

opportunity for all residents in Temecula.” Implementation of revised reasonable accommodations, revised parking standards, and implementing a streamlined review process all further Goal 3 of the Housing Element, which is to, “Reduce and/or remove governmental and nongovernmental constraints in the maintenance, improvement, and development of housing, where appropriate and legally possible.” The Ordinance amends the Municipal Code to implement the programs of the Housing Element to remove constraints on the development of housing.

B. The proposed use is in conformance with the goals, policies, programs and guidelines of elements of the General Plan;

The Ordinance implements the goals and policies contained in the City’s 2021-2029 Housing Element. The Ordinance amends the Municipal Code to implement the programs of the Housing Element to remove constraints on the development of housing.

C. The proposed use is to be established and maintained in a manner which is consistent with the General Plan and all applicable provisions contained therein;

The Ordinance has been designed to be consistent with State Housing Law, the federal Fair Housing Act, the California Fair Employment and Housing Act, and to be internally consistent with the other elements of the Temecula General Plan and all applicable provisions contained therein.

**Section 4.** Subsection A (“A” Definitions and Illustrations) of Section 17.34.010 (Definitions and illustrations of terms) of Chapter 17.34 (Definitions of Terms) of Title 17 of the Temecula Municipal Code is hereby amended to add new definitions to read as follows, with all other provisions of Section 17.03.010 remaining unchanged:

“Agricultural employee housing” means housing for agricultural workers that may include, but is not limited to, conventionally constructed units and manufactured housing consisting of no more than 36 beds in group quarters (or 12 units or less) designed for use by a single family or household.

“Agricultural use” means land with a minimum lot size of five (5) acres that is used for the purpose of producing an agricultural commodity for commercial purposes. Agricultural commodity means any and all plant and animal products produced in this state for commercial purposes. An agricultural use can occur wholly, or in part, in a greenhouse.

**Section 5.** Subsection E (“E” Definitions and Illustrations) of Section 17.34.010 (Definitions and illustrations of terms) of Chapter 17.34 (Definitions of Terms) of Title 17 of the Temecula Municipal Code is hereby amended to add a new definition to read as follows:

“Employee housing” has the same meaning as set forth in Health and Safety Code section 17008.

**Section 6.** Subsection F (“F” Definitions and Illustrations) of Section 17.34.010 (Definitions and illustrations of terms) of Chapter 17.34 (Definitions of Terms) of Title 17 of the Temecula Municipal Code is hereby amended to amend the definition of “Family day care home” as follows:

“Family day care home” means a home (a detached single-family dwelling, a townhouse, a dwelling unit within a dwelling, or a dwelling unit within a multifamily dwelling in which the underlying zoning allows residential uses) ~~which~~ that regularly provides care, protection, and supervision of fourteen or fewer children, in the provider’s own home, whether the home is rented, leased or owned, for periods of less than twenty-four hours per day, while the parents or guardians are away. This includes large family day care homes and small family day care homes.”

**Section 7.** Subsection L (“L” Definitions and Illustrations) of Section 17.34.010 (Definitions and illustrations of terms) of Chapter 17.34 (Definitions of Terms) of Title 17 of the Temecula Municipal Code is hereby amended to add new definitions as follows:

“Large family day care home” means a facility that provides care, protection, and supervision for 7 to 14 children, inclusive, including children under 10 years of age who reside at the home, as set forth in Health and Safety Code Section 1597.465.

“Low barrier navigation center” means a Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. “Low Barrier” means best practices to reduce barriers to entry, and may include, but is not limited to, the following: 1) the presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual violence, women, or youth; 2) pets; 3) the storage of possessions; 4) privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.”

**Section 8.** Subsection S (“S” Definitions and Illustrations) of Section 17.34.010 (Definitions and illustrations of terms) of Chapter 17.34 (Definitions of Terms) of Title 17 of the Temecula Municipal Code is hereby amended to add a new definition as follows:

“Small family daycare home” means a facility that provides care, protection, and supervision for eight or fewer children, including children under 10 years of age who reside at the home, as set forth in Health and Safety Code Section 1597.44.”

**Section 9.** A new paragraph “G” entitled “Public Hearings for Housing Development Projects” is hereby added to Section 17.03.040 (Public hearing and notification) of Chapter 17.03 (Administration of Zoning) of Title 17 (Zoning) of the Temecula Municipal Code to read as follows, with all other provisions of Section 17.03.040 remaining unchanged:

“G. Public Hearings for Housing Development Projects. In accordance with California Government Code Section 65905.5 the City may not conduct more than five (5) public hearings on a housing development project if the project complies with the objective general plan and zoning standards in effect at the time an application is deemed complete. For purposes of this paragraph G, a “public hearing” shall have the same meaning as set forth in Government Code Section 65905.5(b)(2); and a “housing development project” shall have the same meaning as set forth in Government Code Section 65905.5(b)(3). This paragraph (G) shall remain in effect only until January 1, 2034, and as of that date is repealed.”

**Section 10.** Table 17.06.030 “Residential Districts” of Section 17.06.030 (Use regulations) of Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add a line under “Residential” to read as follows (with additions shown in underlined text and deletions shown in underlined text), with all other provisions of Table 17.06.030 remaining unchanged:

Description of Use	HR	RR	VL	L-1	L-2	LM	M	H	HR-SM <sup>9</sup>
<b>Residential</b>									
<u>Employee housing<sup>14</sup></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Agricultural employee housing<sup>15</sup></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>-</u>
<u>Community care facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Residential care facilities (seven or more)	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	P	<u>CP</u>
Residential care facilities for the elderly (seven or more)	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	<u>CP</u>	P	P	<u>CP</u>

Footnote 14: Employee housing providing accommodations for six or fewer employees shall be deemed a single-family structure with a residential land use designation. Employee housing providing accommodations for seven or more employees shall be considered a multifamily use and shall only be permitted in the medium density and high density residential zones.

Footnote 15. Agricultural employee housing is a residential land use for land designated for agricultural use. An agricultural use is defined in Section 17.34.010.

**Section 11.** A new Footnote 6 is added to Table 17.06.040 “Development Standards - Residential Districts” of Section 17.06.040 (Development Standards) of Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code to read as follows (with additions shown in underlined text), with all other provisions of Table 17.06.040 remaining unchanged:

	HR	RR	VL	L-1	L-2	LM	M 5	H <sup>6</sup>	HR-SM
<b>Other requirements</b>									
Maximum percent of lot coverage <sup>6</sup>	10%	15%	20%	25%	25%	35%	35%	30%	Subject to Section 17.06.080

Footnote 6: The lot coverage requirement may be reduced to the extent it would physically preclude a housing development project (as defined in Government Code Section 65589.5(h)(2))

consisting of three to 10 units from achieving the floor area ratios allowed pursuant to Government Code Section 65913.11.

**Section 12.** Paragraph (F)(15) of Section 17.06.080 (Hillside development standards) of Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text), with all other provisions of Section 17.06.080 remaining unchanged:

“15. A fuel modification plan consistent with the General Guidelines for Creating Defensible Space adopted by the State Board of Forestry and Fire Protection, February 8, 2006 (“General Guidelines”), or the most current edition of the General Guidelines.”

**Section 13.** Section 17.06.090 (Objective design standards -Multifamily and mixed-use development.) of Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text):

“Any housing development project that, pursuant to state law, requires ministerial approval or streamlined review, or where the housing development project is subject to discretionary review, but a specific plan or a planned development overlay zoning district (PDO) does not otherwise set forth objective design standards applicable to the project shall comply with the Temecula Objective Design Standards for Multifamily and Mixed-Use Developments.”

**Section 14.** A new Section 17.06.100 (Streamlined review) is hereby added to Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code to read as follows:

**“17.06.100 Streamlined review**

The City shall conduct a streamlined review of projects that are eligible under Government Code section 65913.41 and 65912.100 et seq., or any other State mandated streamlined review.”

**Section 15.** A new Section 17.06.110 (Supportive housing) is hereby added to Chapter 17.06 (Residential Districts) of Title 17 (Zoning) of the Temecula Municipal Code to read as follows:

**“Section 17.06.110 Supportive housing**

- A. Purpose. The purpose of this section is to allow supportive housing, as defined in Government Code Section 65582, consistent with State law to ensure equality of treatment for all residential uses regardless of the occupant. Supportive housing is generally described as permanent housing linked to a range of support services designed to enable residents to maintain stable housing.
- B. Applicability and Standards.

- (1) Supportive housing shall be permitted by right in any zone where multifamily and mixed uses are permitted if the proposed housing development satisfies all requirements of Government Code Section 65651(a).
- (2) If the supportive housing development is located within one-half mile of a public transit stop, no parking spaces are required for the units occupied by supportive housing residents per Government Code Section 65654.
- (3) Supportive housing shall comply with objective development standards and policies that apply to other multifamily development within the same zone. In the event of a conflict between the standards of this section and the standards of the underlying zone, the standards in this section shall apply.

C. Processing of Application.

(1) The following time frames apply to the processing of a supportive housing application, unless different time frames are set forth in Government Code section 65653. The City shall notify the applicant whether the application is complete within 30 days of receipt of an application to develop supportive housing. The City shall complete its review of the application within 60 days after the application is complete for a project with 50 or fewer units, or within 120 days after the application is complete for a project with more than 50 units. If any of these timeframes are modified by State law, then State law shall govern.”

**Section 16.** Table 17.08.030 (Schedule of Permitted Uses Commercial/Office/Industrial Districts) of Section 17.08.030 (Use Regulations) of Chapter 17.08 (Commercial/Office/Industrial Districts) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text and deletion shown in strikethrough text) with all other provisions of Table 17.08.030 remaining unchanged:

Description of Use	NC	CC	HT	SC	PO	BP	LI
<b>L</b>							
<u>Low Barrier Navigation Center<sup>13</sup></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-	-
<b>S</b>							
Supportive housing <sup>14</sup>	- <u>P</u>	<u>CP</u>	- <u>P</u>	- <u>P</u>	<u>CP</u>	-	-
<b>T</b>							
Transitional housing <sup>15</sup>	- <u>P</u>	<u>CP</u>	- <u>P</u>	- <u>P</u>	<u>CP</u>	-	-

Footnote 13. A low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65662.

Footnote 14. Supportive housing shall comply with Section 17.06.110.

Footnote 15. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type. To determine whether the type of transitional housing proposed is a permitted or conditionally permitted use, see the different residential types in the chart above.”

**Section 17.** Subsection R(7) of Section 17.10.020 (Supplemental development standards) of Chapter 17.10 (Supplemental development standards) of Title 17 (Zoning) is hereby amended to read as follows (with additions shown in underlined text), with all other provisions of Section 17.10.020 remaining unchanged:

“7. A minimum of one parking space for every ten beds, plus one-half parking space for each bedroom designated for families with children, plus one parking space for each employee/volunteer on duty, shall be maintained. The number of parking spaces may be reduced by twenty-five percent if the shelter is located within one thousand feet of a public transit stop. Bicycle rack parking shall also be provided at the facility. Notwithstanding the foregoing, these standards shall not apply if they require more parking for emergency shelters than other residential or commercial uses in the same zone.”

**Section 18.** Table 17.12.030 (Schedule of Permitted Uses – Public/Institutional Districts) of Section 17.12.030 (Use regulations) of Chapter 17.12 (Public/Institutional Districts) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows to read as follows, with all other provisions of Table 17.12.030 remaining unchanged:

Description of Use	Public/Institutional District (PI)
<b>L</b>	
Low Barrier Navigation Center <sup>5</sup>	P
<b>S</b>	
Supportive housing <sup>6</sup>	P
<b>T</b>	
Transitional housing <sup>7</sup>	P

Footnote 5. A low barrier navigation center shall be permitted by right in the PI zone only if the project meets the criteria set forth in Government Code section 65662.

Footnote 6. Supportive housing shall comply with Section 17.06.110.

Footnote 7. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type.

**Section 19.** Table 17.22.116 (Schedule of Permitted Uses Margarita Road Planned Development Overlay District - 2) of Article III (Margarita Road Planned Development Overlay District – 2) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add new rows under “Residential” to read as follows, with all other provisions of Table 17.22.116 remaining unchanged:

Description of Use	PDO-2
<b>Residential</b>	
Low Barrier Navigation Center	P <sup>5</sup>
Supportive housing	P <sup>6</sup>
Transitional housing	P <sup>7</sup>



Footnote 5. A low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65662.

Footnote 6. Supportive housing shall comply with Section 17.06.110. Supportive housing in single-family detached and duplex (two-family dwellings) are permitted only with the approval of the planning commission to ensure compliance with objective design standards.

Footnote 7. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type.

**Section 20.** Table 17.22.136B (Schedule of Permitted Uses Temecula Creek Village Planned Development Overlay District – 4) of Section 17.22.136 (Use Regulations) of Article V (Temecula Creek Village Planned Development Overlay District – 4) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows to read as follows, with all other provisions of Table 17.22.136 remaining unchanged:

Description of Use	PDO-4R	PDO-4V
<b>L</b>		
Low barrier navigation center <sup>9</sup>	P	-
<b>S</b>		
Supportive Housing <sup>10</sup>	P	-
<b>T</b>		
Transitional housing <sup>11</sup>	C	-

Footnote 9. A low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65662.

Footnote 10. Supportive housing shall comply with Section 17.06.110.

Footnote 11. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type.

**Section 21.** Section 17.22.146 (Use Regulations) of Article VI (Rendezvous Planned Development Overlay District (PDO-5)) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text):

“A. Only multifamily residential land uses shall be allowed in the PDO.

B. Low barrier navigation centers shall be permitted by right if the project meets the criteria set forth in Government Code section 65662.

C. Supportive housing shall comply with Section 17.06.110 and shall be permitted by right in a multifamily residential use.

D. Transitional housing shall be permitted by right in a multifamily residential use.”

**Section 22.** Planning Area B - Rancho Pueblo Professional Center of Section 17.22.164 (Planning areas) of Article VII (Rancho Pueblo Planned Development Overlay District (PDO-6)) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text), with all other provisions of Section 17.22.164 remaining unchanged:

**“PLANNING AREA B - RANCHO PUEBLO PROFESSIONAL CENTER**

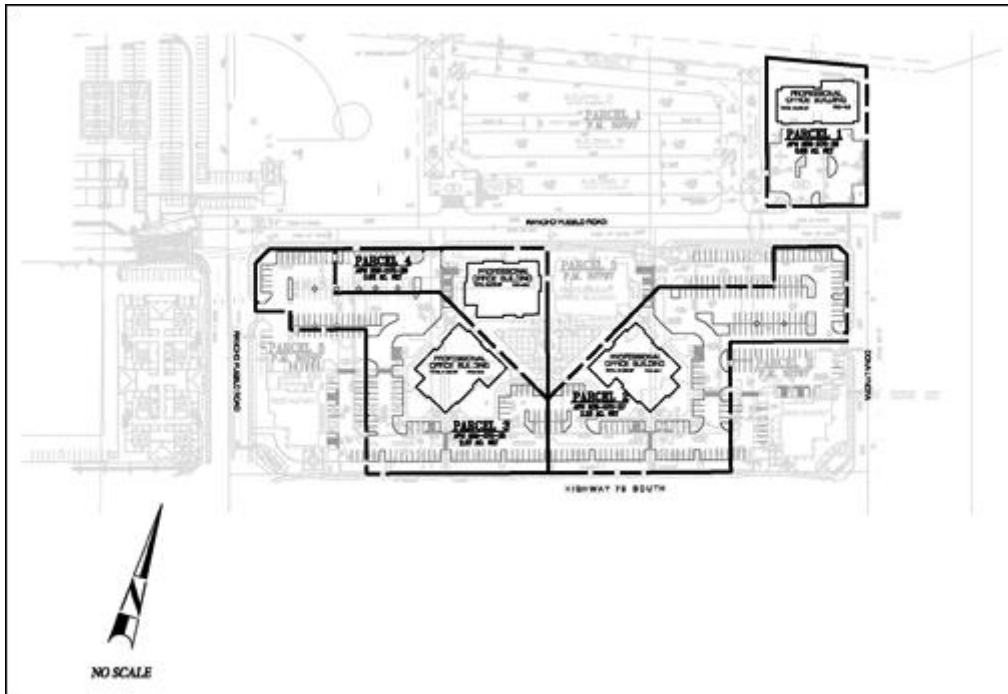
The site may contain a well-coordinated mix of professional office and other use types, including:

1. Medical and professional office;
2. Self-storage facilities;
3. Assisted living facilities;
4. Senior living facilities.
5. Supportive housing shall comply with Section 17.06.110 and shall be permitted by right in a multifamily residential use.
6. Transitional housing shall be permitted by right in a multifamily residential use.
7. Low barrier navigation centers shall be permitted by right in a multifamily residential use.

The site is organized around the central main street, Rancho Pueblo Road, which traverses the middle of the site, from its western terminus at Highway 79, shared with the Rancho Community Church and Schools site to the west, to its interim eastern terminus at the PDO eastern boundary; secondary access is also provided via the right-in right-out road connecting to Highway 79 at the eastern boundary of the site. - In addition, a connection for Rancho Pueblo Road to the east is provided in planning area B.

Development parcels are located along and accessed from Rancho Pueblo Road, which bisects the site in an east-west direction. Some access may also be provided, at a suitable distance from Highway 79, from the right-in, right-out access road connecting to Highway 79, at the eastern end of the site. Parcels along Highway 79 have their front yards, with appropriate setbacks, designated along Highway 79, while the parcels to the rear of the site front onto Rancho Pueblo Road.

Main entries of buildings, especially those along the Highway 79 frontage, will be oriented towards the interior of the site to keep the amount of parking on the exterior boundaries of the site to a minimum. Buildings fronting onto Highway 79 will be variably setback and spaced along the right-of-way line to provide a combination of visually interesting relationships with respect to access and movement of vehicles and pedestrians within the site. Whenever possible, cluster groups or pairs of buildings around shared, central courtyards to promote a more village-like atmosphere. Figure 5A illustrates a representative development pattern, while Figure 11 (see Section 17.22.172(A)(3)), illustrates how the shared landscaped areas can as pedestrian gathering places, serving adjacent buildings.



**Fig. 5A Planned Development Overlay PA01-0522  
Conceptual Illustrative Land Use Plan—Rancho Pueblo Professional Center”**

**Section 23.** Table 17.22.186B (Schedule of Permitted Uses Linfield Christian School Planned Development Overlay District - 7 Description of Use Area) of Section 17.22.186 (Use Regulations) of Article VIII (Linfield Christian School Planned Development Overlay District -7) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows, with all other provisions of Table 17.22.186B remaining unchanged:

Description of Use	Area 1A, 1B, 1C & 1D (EI)	Area 2 (ER)	Area 3A & 3B (PI)
<b>L</b>			
<u>Low Barrier Navigation Center</u> <sup>3</sup>		<u>P</u>	
<b>S</b>			
<u>Supportive housing</u> <sup>4</sup>	-	<u>P</u>	-
<b>T</b>			
<u>Transitional housing</u> <sup>5</sup>	<u>C</u>	<u>C</u>	<u>C</u>

Footnote 3. Low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65562.

Footnote 4. Supportive housing shall comply with Section 17.06.110.

Footnote 5. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type. To determine whether the type of transitional housing

proposed is a prohibited, permitted or conditionally permitted use, see the different residential types in the chart above.”

**Section 24.** Table 17.22.196 (Schedule of Permitted Uses De Portola Road Planned Development Overlay District - 8) of Section 17.22.196 (Use Regulations) of Article IX (De Portola Road Planned Development Overlay District -8) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows to read as follows, with the remainder of Table 17.22.196 remaining unchanged:

Description of Use	PDO-8
<b>L</b>	
Low Barrier Navigation Center <sup>7</sup>	P
<b>S</b>	
Supportive housing <sup>8</sup>	P
<b>T</b>	
Transitional housing <sup>9</sup>	P

Footnote 7. Low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65562.

Footnote 8. Supportive housing shall comply with Section 17.06.110.

Footnote 9. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type.

**Section 25.** Table 17.22.216(B) Schedule of Permitted Uses Temecula Education Center Planned Development Overlay District-10 of Section 17.22.216 (Use Regulations) of Article XI (Temecula Education Center Planned Development Overlay District - 10) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows to read as follows, with all other provisions of Table 17.22.216(B) remaining unchanged:

Description of Use	PDO-10
<b>L</b>	
Low Barrier Navigation Center <sup>6</sup>	P
<b>S</b>	
Supportive housing <sup>7</sup>	P
<b>T</b>	
Transitional housing <sup>8</sup>	P

Footnote 6. Low barrier navigation center is permitted by right if the project meets the criteria set forth in Government Code section 65662.

Footnote 7. Supportive housing shall comply with Section 17.06.110.

Footnote 8. Transitional housing shall be subject only to those restrictions that apply to other residential dwellings of the same type.

**Section 26.** Section 17.22.226 (Use Regulations) of Article XII (Mira Loma Planned Development Overlay District -11) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows (with additions shown in underlined text):

“The Mira Loma planned development overlay district (PDO-11), located along Mira Loma Drive and Rancho Vista Road, is intended to provide for the development of sixty-two single-family detached homes on condominium lots on 7.4 acres with a proposed density of 8.4 du/ac and a maximum permitted density of 10.0 du/ac. The proposed project is comprised entirely of private residential land uses designed to enhance housing opportunities, consider natural features, incorporate private and common open space, private recreation, and develop a common community theme. The project will provide housing opportunities consistent with the city’s general plan policies in response to local market demands and will provide for a visually pleasing environment through adoption of supplemental performance standards that have been provided to ensure compatibility with the adjacent neighborhoods. Supportive housing that complies with Section 17.06.110 shall be a permitted use. Transitional housing shall be permitted by right in single family homes.”

**Section 27.** Section 17.22.246 (Use Regulations) of Article XIII (Walcott Estates Planned Development Overlay District -12) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows:

“The Walcott Estates planned development overlay district (PDO-12), located between Walcott Lane and Butterfield Stage Road, is intended to provide for the development of forty-five single-family detached homes on fee owned lots, on 25.13 gross acres, with a proposed density of 1.8 dwelling units per gross acre. The proposed project is comprised entirely of private residential land uses designed to enhance housing opportunities, consider natural features, incorporate private and common open space, private recreation, and develop a common community theme. The project will provide housing opportunities consistent with the city’s general plan policies in response to local market demands and will provide for a visually pleasing environment through adaptation of supplemental performance standards that have been provided to ensure transitional compatibility with adjacent neighborhoods. Supportive housing that complies with Section 17.06.110 shall be a permitted use. Transitional housing shall be permitted by right in single family homes.”

**Section 28.** Table 1 Schedule of Permitted Uses of Section 17.22.276 (Use Regulations) of Article XV (Gateway Planned Development Overlay District -14) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add the following rows to read as follows, with all other provisions of Section 17.22.276 remaining unchanged:

Description of Use	PA1 and PA2
<b>L</b>	
Low barrier navigation center <sup>3</sup>	P

<b>S</b>	
Supportive housing <sup>4</sup>	P
<b>T</b>	
Transitional housing <sup>5</sup>	P

Footnote 3. Permitted by right if the project meets the criteria set forth in Government Code section 65662.

Footnote 4. Supportive housing shall comply with Section 17.06.110.

Footnote 5. Multi-family transitional housing is permitted by right.

**Section 29.** Section 17.22.294 (Use Regulations) of Article XVI (Cypress Ridge Planned Development Overlay District -15) of Chapter 17.22 (Planned Development Overlay Zoning District (PDO)) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows:

“The Cypress Ridge planned development overlay district (PDO-15), located within Pechanga Parkway, Loma Linda Avenue and Temecula Lane, is intended to provide for the development of two hundred forty-five single-family detached and attached homes within fee simple condominium unit boundaries, on 22.7 gross acres/20.18 net acres, with a proposed average density of 12.14 dwelling units per net acre. The proposed project is comprised entirely of private residential land uses designed to enhance housing opportunities, consider natural features, incorporate private and common open space, private recreation, and develop a common community theme. The project will provide housing opportunities consistent with the city’s general plan policies in response to local market demands and will provide for a visually pleasing environment through adaptation of supplemental performance standards that have been provided to ensure transitional compatibility with adjacent neighborhoods. Supportive housing that complies with Section 17.06.110 shall be a permitted use. Transitional housing shall be permitted by right in single family homes.”

**Section 30.** Section 17.03.065 (Reasonable Accommodations) of Chapter 17.03 (Administration of Zoning) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended in its entirety to read as follows (with additions shown in underlined text and deletions shown in underlined text):

**“17.03.065 Reasonable accommodations.**

A. Purpose and Intent. It is the purpose and intent of this section to provide flexibility in the application of the City of Temecula Municipal Code for individuals with a disability, when flexibility is necessary to eliminate barriers to housing opportunities. This section will facilitate compliance with federal and state housing laws through procedures for considering requests for reasonable accommodations in the application of the city’s zoning and land use regulations, policies, and practices pursuant to the federal Fair Housing Act (codified in Section 3604(f)(3) of Title 42 of the United States Code), and the California Fair Employment and Housing Act (codified in Section 12955 et seq. of the California Government Code), which prohibit local governments from refusing to make accommodations in policies and practices when needed to provide an individual with a disability an equal opportunity to use and enjoy a dwelling in the city.

B. Applicability. A request for reasonable accommodation may include a modification or exception to the rules, standards, and practices for the siting, development and use of housing or housing-related facilities that would eliminate regulatory barriers and provide an individual with a disability equal opportunity for housing of their choice.

~~B.C.~~ Definitions. The following terms as used in this section shall, unless the context clearly indicates otherwise, have the following meanings:

“Applicant” means ~~a person~~an individual, business, or organization making a written request to the city for reasonable accommodation in the strict application of the city’s zoning and land use laws, rules, policies, practices and/or procedures.

“Development code” means the city of Temecula development code as set forth in this title.

“Director” or “planning director” means the director of planning.

~~“Disabled person” or “person~~Person with a disability” means an individual who has a physical or mental impairment that limits one or more of that person’s major life activities; anyone who is regarded as having such impairment; or anyone who has a record of having such an impairment. Such an impairment shall not include an individual’s current, illegal use of a controlled substance unless that individual has a separate disability.

“Fair Housing Laws” means the “Federal Fair Housing Act” (42 U.S.C. Section 3601, et seq.), the Americans with Disabilities Act (ADA), and the “California Fair Employment and Housing Act” (California Government Code Section 12900, et seq.), as these statutes now exist or may be amended from time to time, and each Act’s implementing regulations.

“Fundamental alteration” in the land use and zoning context has the same meaning as defined in the Fair Housing Laws and interpretive case law.

“Reasonable accommodation” in the land use and zoning context means any deviation, waiver or other modification requested and/or granted from the strict application of the city’s zoning and land use ordinances, laws, rules, regulations, policies, practices and/or procedures for the siting, development and/or use of housing or housing related facilities, when the deviation, waiver or other modification is necessary to eliminate barriers to housing opportunities for the use and enjoyment of an individual resident’s housing of their choice.

“Undue financial or administrative burden” in the land use and zoning context has the same meaning as defined in the Fair Housing Laws and interpretive case law.

~~CD.~~ Authority of the Planning Director. The planning director is hereby designated to approve, ~~conditionally approve~~approve with modifications, or deny, without public hearing, all applications for a reasonable accommodation with respect to land use and zoning ordinances, laws, rules, regulations, policies, practices and/or procedures.

~~DE.~~ Notice to the Public of Availability of Accommodation Process. Notice of the availability of reasonable accommodations shall be prominently displayed at public information counters in the planning, zoning and building departments, and City Clerk’s office, and on the city’s website,

advising the public of the availability of the procedure for eligible individuals. Forms for requesting reasonable accommodation shall be available to the public in those departments, from the city's ADA coordinator, and on the city's website.

F. Procedure for Application Review.

1. Applicant. A request for a reasonable accommodation may be made by any person with a disability, his or her representative, or a developer or provider of housing for individuals with a disability.

2. Application. An application for a reasonable accommodation shall be made on a form provided by the planning department. The application form shall include a checklist of materials, reports, developments, plans, and written information to be provided by the applicant. No fee shall be required for a request for reasonable accommodation, but if the project requires another discretionary permit, then the prescribed fee shall be paid for all other discretionary permits. If an individual needs assistance in making the request for reasonable accommodation, the city will provide assistance to ensure that the process is accessible.

3. Other Discretionary Permits. If the project for which the request for reasonable accommodation is made requires another discretionary permit or approval (including but not limited to, design review, conditional use permit, variance or subdivision), the applicant may file the request for reasonable accommodation together with the application for the other discretionary permit or approval. The processing procedures of the discretionary permit shall govern the joint processing of both the reasonable accommodation and the discretionary permit.

4. Required Submittals. An application for a reasonable accommodation shall include the following:

a. Documentation that the applicant is: (i) a person with a disability, (ii) applying on behalf of one or more persons with a disability, or (iii) a developer or provider of housing for one or more persons with a disability;

b. The name and address of the individual(s) requesting the reasonable accommodation;

c. The name and address of the property owner(s);

d. If the applicant is someone different than the property owner, a letter of agency or authorization signed by the owner consenting to the application being made;

e. The address and current use of the property for which accommodation is requested;

e.f. A description of the reasonable accommodation requested by the applicant, and the ordinance, law, regulation, policy, practice or procedure for which accommodation is sought;



~~f.g.~~ An explanation of how and why the specific reasonable accommodation requested by the applicant is necessary to provide ~~one or more persons~~ the individual(s) with a disability an equal opportunity to use and enjoy the residence;

~~gh.~~ Where applicable, documentation that the requested accommodation is designed and constructed pursuant to Title 24 of the California Code of Regulations to allow access, circulation and full use of the building and facilities by persons with disabilities.

5. The planning director may request additional information from the applicant consistent with the Fair Housing Laws ~~if the application does not provide sufficient information for the city to make necessary for the city to make a determination on the request for reasonable accommodation in accordance with the findings required in subsection EG.~~ The planning director shall specify in detail the additional information that is required. In the event that a request for additional information is made, the thirty (30) day period to issue a decision as provided in Subsection (H)(2) is stayed until the applicant responds to the request.

6. Except as otherwise required by law, any information identified by an applicant as confidential shall be retained in a manner so as to respect the privacy rights of the applicant and shall not be made available for public inspection.

7. A request for reasonable accommodation may be filed at any time that the accommodation may be necessary to ensure equal access to housing. A reasonable accommodation does not affect an individual's obligations to comply with other applicable regulations not at issue in the requested accommodation.

~~E.G.~~ Basis for Approval or Denial of a Decision on Request for Reasonable Accommodation; Findings.

1. General. The written decision to approve, approve with modifications, or deny a request for reasonable accommodation shall be consistent with Fair Housing Laws and this Subsection.

2. Findings. The written decision shall be based on the following findings, all of which are required for approval or approval with modifications:

a. The requested accommodation is requested by or on behalf of one or more persons with a disability protected under the Fair Housing Laws;

b. The requested accommodation is necessary to provide one or more ~~individuals~~ persons with a disability an equal opportunity to use and enjoy a dwelling, and the housing which is the subject of the request for accommodation will be used by such person(s) with disabilities protected by the Fair Housing Laws;

c. The requested accommodation ~~will~~ would not impose an undue financial or administrative burden on the city;

d. The requested accommodation ~~will~~ would not result in a fundamental alteration in the nature of the city's land use and zoning program;

e. The requested accommodation ~~will~~ would not, under the specific facts of the case, result in a direct threat to the health or safety of other individuals or substantial physical damage to the property of others.

23. Conditions of approval. In granting a request for reasonable accommodation, the planning director may impose any conditions of approval deemed reasonable and necessary to ensure that the reasonable accommodation will comply with the findings required by this section. Conditions may also be imposed to ensure that any removable structures or physical design features that are constructed or installed in association with the reasonable accommodation be removed once those structures or physical design features are unnecessary to afford the individual with a disability for whom the reasonable accommodation was granted the use and enjoyment of the dwelling.

34. None of the findings of this section are intended to supersede any other findings which might also be required for a discretionary permit that is reviewed concurrently with the request for accommodation.

2.5. In determining whether the requested reasonable accommodation is necessary to provide one or more ~~disabled~~ persons with disabilities an equal opportunity to use and enjoy a dwelling, pursuant to subsection ~~(E)(1)(b)(G)(2)(b)~~, the city may consider, but is not limited to, the following factors:

a. Whether the requested accommodation will affirmatively enhance the quality of life of one or more ~~individuals~~ persons with a disability;

b. Whether the ~~individual or individuals~~ person(s) with a disability will be denied an equal opportunity to enjoy the housing type of their choice absent the accommodation;

3.6. In determining whether the requested reasonable accommodation would require a fundamental alteration in the nature of the city's land use and zoning program, pursuant to subsection ~~(E)(1)(d)(G)(2)(d)~~, the city may consider, but is not limited to, the following factors:

a. Whether the requested accommodation would fundamentally alter the character of the neighborhood or the community in which the requested accommodation would be located;

b. Whether the accommodation would result in a substantial increase in traffic or insufficient parking when compared to the projected traffic or parking of other uses allowed by right or conditionally allowed in the subject zone district;

c. Whether granting the requested accommodation would substantially undermine any express purpose of either the city's general plan or an applicable specific plan or zoning districts;

47. Rules While Decision is Pending. While a request for reasonable accommodation is pending, all laws and regulations otherwise applicable to the property that is the subject of the request shall remain in full force and effect.

F.H. Review Authority; Notice of Decision.

1. Authority. The planning director shall have the authority to consider and act on requests for reasonable accommodation and shall make reasonable accommodations in rules, policies, practices, procedures or services when those accommodations may be necessary to afford one or more persons with disabilities equal opportunities to use and enjoy their dwelling consistent with the Fair Housing Laws.

2. Decision.

a. For requests for reasonable accommodation, the ~~The~~ planning director shall issue a written determination to approve, conditionally approve, or deny a request for a reasonable accommodation within a timely manner but no later than thirty (30) days of the date of receipt of a complete application, and may (i) approve the accommodation request, (ii) approve the accommodation request subject to nondiscriminatory conditions of approval or other modifications, or (iii) deny the request. The planning director may, in his or her discretion, elect to refer applications that may have a material effect on surrounding properties (including but not limited to, a use not allowed under the subject zoning district or general plan, location of improvements in the front yard or setback, location of accommodation in close proximity to a use that restricts residential occupancy, accommodation that would violate a specific condition of approval, improvements are permanent) directly to the planning commission for a decision. forward the matter to the planning commission for consideration of the application. A complete application shall consist of the application form with all applicable information and documentation included in or attached to the form. The city and applicant may mutually agree to extend the time for the planning director's decision on the application. The decision on the application shall be sent to the applicant by first class mail to the applicant, and the applicant may also request notification by an accessible format

b. For requests for reasonable accommodations involving any applications for discretionary approval, the application for reasonable accommodation shall be processed and considered separately from any discretionary elements of the same proposal. The planning director shall act on the request for reasonable accommodation within a timely manner but no later than thirty (30) days of the date of a complete application form; however, if the request for a reasonable accommodation cannot be effectuated until a final decision is rendered on the related discretionary approvals, a "provisional approval" can be granted within the 30-day time frame allowing the reasonable accommodation request to be implemented, or modified as needed to obtain the same goal, at the time of the final discretionary approval, and shall become final at the same time. The applications for discretionary approval shall be separately considered and shall be subject to the procedures for consideration specified in the applicable development code section or chapter, depending on the type of application. The appropriate decision-making body shall act on all discretionary permits, but not the reasonable accommodation request.

23. Appeals of the director's action shall be made in accordance with Section 17.03.090, as supplemented by the following:

a. The decision by the planning director on a request for reasonable accommodation not involving one or more applications for a discretionary permit shall become final fifteen (15)

calendar days after the date of the planning director's decision, unless a timely appeal is filed in accordance with Section 17.03.090(E).

b. The planning commission or the city council, as applicable, shall hear the matter and render a determination on the appeal as soon as reasonably practicable, but in no event later than either (i) ninety (90) calendar days after an appeal has been filed or (ii) fifteen (15) calendar days after the close of the appeal hearing, whichever occurs first. The city and applicant may also mutually agree to extend the time for the planning commission's or city council's decision on the appeal to a later date. All decisions on an appeal shall address and be based upon the same findings required to be made in the original decision from which the appeal is taken.

c. An appeal from the planning director's decision on a request for reasonable accommodation shall be made on a form provided by the planning department. The appeal form shall include a checklist of materials, reports, developments, plans, and written information to be provided by the appellant. No fee shall be required from an applicant for the appeal of a request for reasonable accommodation, but if the appeal is for any other discretionary permit(s), then the prescribed fee shall be paid by the appellant for such other discretionary permit(s). If an individual needs assistance in the appeal of a decision on the request for reasonable accommodation, the city will provide assistance to ensure that the process is accessible.

d. The decision on the appeal shall be sent by first class mail to the applicant and appellant (if different), and the applicant may also request notification an accessible format. The city council's action on any appeal shall be final.

e. Nothing in this procedure shall preclude an aggrieved individual from seeking other state or federal remedy available.

#### G-I. Expiration, Time Extension, Violation, Discontinuance, and Revocation.

1. Expiration. Any reasonable accommodation approved in accordance with the terms of this Section shall expire within twenty-four months from the effective date of the approval, or at an alternative time specified as a condition of the approval, unless:

- a. A building permit has been issued and construction has commenced;
- b. A certificate of occupancy has been issued;
- c. The use is established; or
- d. A time extension has been granted.

#### 2. Time Extension.

a. The planning director may, upon an application being filed prior to expiration and for good cause, grant a time extension of up to three one-year extensions of time. Each extension of time shall be granted in one-year increments only. Upon granting of an extension, the planning director shall ensure that conditions of the administrative approval comply with all current development code provisions.

b. Notice. Notice of the planning director's decision on a time extension shall be provided in writing. All written decisions shall give notice of the right to appeal and to request reasonable accommodation in the appeals process.

c. Appeal of Determination. A time extension for a reasonable accommodation shall be final unless appealed to the city council within fourteen calendar days of the date of mailing of the determination. An appeal shall be made in writing and shall be noticed and heard pursuant to the procedures established in Section 17.03.090 of this code.

3. Discontinuance. If the ~~disabled persons~~ person with a disability for whom the reasonable accommodation was originally granted vacates the residence to which the reasonable accommodation applies, the reasonable accommodation shall remain in effect only if the planning director determines that: (a) the modification is physically integrated into the residential structure and cannot easily be removed or altered to comply with the Municipal Code; or (b) the accommodation is necessary to give another ~~disabled individual~~ person with a disability an equal opportunity to enjoy the dwelling. The planning director may request that the applicant, or his or her successor-in-interest, provide documentation that subsequent occupants are persons with disabilities. Failure to provide such documentation within thirty days of the date of a request by the city shall constitute grounds for discontinuance by the city of a previously approved reasonable accommodation.

4. Revocation. Procedures for revocation shall be as prescribed by Section 17.03.080. Any reasonable accommodation approved in accordance with the terms of this code may be revoked if any of the conditions or terms of such reasonable accommodation are violated, or if any law or ordinance is violated in connection therewith.

~~H.J.~~ Amendments. A request for changes in conditions of approval of a reasonable accommodation, or a change to plans that would affect a condition of approval shall be treated as a new application. The planning director may waive the requirement for a new application if the changes are minor, do not involve substantial alterations or addition to the plan or the conditions of approval, and are consistent with the intent of the original approval."

**Section 31.** Section 17.03.090(B) (Appeals) of Chapter 17.03 (Administration of Zoning) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to read as follows:

"B. Decisions Which May Be Appealed to Planning Commission. The following actions may be appealed to the planning commission:

1. Actions by the director of planning on approval of development permits, conditional use permits and extensions of time;

2. Actions by the director of planning on the approval of sign permits;

3. Except as otherwise provided in section 17.03.065(H)(2), any ~~Any~~ other action by the director of planning for which an appeal is authorized by the Code."

**Section 32.** “Residential Uses” of Table 17.24.040 of Section 17.24.040 (Parking requirements) of Chapter 17.24 (Off-street parking and loading) of Title 17 (Zoning) of the Temecula Municipal Code is hereby amended to add a new row to read as follows (with additions shown in underlined text and deletions shown in strikethrough text), with all other provisions of Table 17.24.040 remaining unchanged:

<b>Table 17.24.040 Parking Spaces Required</b>	
<b>Description of Use</b>	<b>Required Number of Spaces</b>
<b>Residential Uses</b>	
Single-family residence	2 enclosed spaces
Duplex, triplexes	2 covered spaces/unit, plus 1 guest space/4 units
Multiple-family residential - 3 or fewer bedrooms (12 or less units)	2-5 units; <u>2</u> <u>1 ½</u> covered spaces/unit, plus 2 guest spaces 6-12 units; <u>2</u> <u>1 ½</u> covered spaces/unit, plus 3 guest spaces
Multiple-family residential - 13 or more units	1 covered parking space plus 1.5 uncovered parking space for 1 bedroom units. In addition, 1 guest space for every 6 units.  1 covered parking space plus 1 uncovered parking space for 2 bedroom units. In addition, 1 guest space for every 6 units.  2 covered parking space 0.5 uncovered parking space for three bedroom (or more) units. In addition, 1 guest space for every 6 units.  A minimum of 4 guest spaces is required for all multifamily residential with 13 or more units.
Accessory dwelling unit	1 parking space per newly constructed detached ADU except as otherwise provided in Chapter 17.23. The parking space may be provided as tandem parking on the driveway.
Mobilehome park	1 covered space/trailer site, plus 1 guest space/2 trailer sites
Senior citizens housing complex	0.5 covered space/unit plus 1 uncovered space per 5 units for guest parking
Congregate care housing	0.5 uncovered space/unit plus 1 uncovered space per 5 units for guest parking

**Section 33. Environmental Findings.** The City Council hereby makes the following environmental findings and determinations in connection with the approval of the Project:

A. Pursuant to the California Environmental Quality Act (“CEQA”) and the City’s local CEQA Guidelines, the City Council has reviewed and considered the Final Environmental Impact Report (“FEIR”) for the General Plan certified by the City Council on April 12, 2005 (State Clearinghouse No. 2003061041), including the impacts and mitigation measures identified therein. Staff has also reviewed Addendum 2021-01 to the FEIR which was prepared and adopted in connection with the City Council’s adoption of the 2021-2029 Housing Element on February 8, 2022. This Ordinance implements the programs set forth in the certified Housing Element which the City Council committed to when it adopted the Housing Element. As such, this is an implementing action of an already approved project (adoption of the Housing Element), and no further environmental review is required.

B. To the extent that any further environmental review is required, the City Council finds that none of the conditions in CEQA Guidelines Section 15162 are present to require the preparation of a subsequent EIR or an additional Addendum, and no additional environmental review is required. The adoption of this Ordinance does not result in any new or greater environmental impacts than were previously analyzed, disclosed, and mitigated since the adoption of this Ordinance was contemplated in the programs of the Housing Element. In addition, no new information of substantial importance has surfaced since the certification of the General Plan EIR or the adoption of Addendum 2021-01.

**Section 34. Severability.** If any section or provision of this Ordinance 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 Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, 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 35. Certification.** The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law.

**Section 36. Effective Date.** This Ordinance shall take effect thirty (30) days after passage.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Temecula  
this       day of       ,       .

---

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-        was duly introduced and placed upon its first reading at a meeting of the City Council of the City of Temecula on the 14<sup>th</sup> day of November, 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        day of        ,        , by the following vote:

AYES:                   COUNCIL MEMBERS:

NOES:                   COUNCIL MEMBERS:

ABSTAIN:               COUNCIL MEMBERS:

ABSENT:                COUNCIL MEMBERS:

---

Randi Johl, City Clerk