

**STAFF REPORT – PLANNING
CITY OF TEMECULA
PLANNING COMMISSION**

TO: Planning Commission Chairperson and members of the Planning Commission

FROM: Luke Watson, Deputy City Manager

DATE OF MEETING: December 1, 2021

PREPARED BY: Brandon Rabidou, Case Planner

**PROJECT
SUMMARY:**

Long Range Planning Project Number LR20-1223, 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 15 and 17 of the Temecula Municipal Code to (1) comply with state law changes to large family day care homes, (2) clarify the standards that apply to senior housing, transitional housing, supportive housing, emergency shelters, trash enclosures, self-storage or mini-warehouse facilities and to projects using the affordable housing overlay zone, (3) establish standards and requirements for dedications and improvements for developments without a subdivision, (4) update how development impact fees can be used, (5) clarify where artificial turf can be installed, and (6) make minor typographical edits and finding that this ordinance is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA guidelines section 15061 (b)(3)”

RECOMMENDATION: Adopt a Planning Commission Resolution recommending that the City Council adopt the proposed Ordinance.

CEQA: Categorically Exempt
Section 15061 (b)(3)

BACKGROUND SUMMARY

The City of Temecula City Council adopted the Municipal Code in January 1990. Since its adoption, the City Council has periodically made amendments to various sections of the Code to improve its clarity, make corrections and to make necessary additions. The proposed amendments to the Temecula Municipal Code include amendments to Title 15 and Title 17. The proposed amendments are not substantial policy changes and do not result in a significant increase in the intensity or density of any land use above what is currently allowed in accordance with the

Municipal Code. Pursuant to Government Code Section 65800, the Planning Commission is required to review and make recommendations to the City Council regarding zoning regulations and amendments to Title 17 (Development Code) of the Temecula Municipal Code. As such, this staff report only addresses proposed amendments to Title 17 of the Temecula Municipal Code.

The remaining proposed amendments to Title 15 will be considered by the City Council. The proposed amendments to the other title of the Temecula Municipal Code are included in the attached draft Ordinance for the Planning Commission's review but are not reflected in this staff report. Listed briefly below are the proposed changes to Title 17 of the Municipal Code, each of which is discussed in greater detail below. Listed briefly below are the proposed changes to Title 17 of the Municipal Code.

1. Updates to Senior Housing/Congregate Care Facilities. The proposed changes further clarify development requirements for Senior Housing/Congregate Care Facilities within the Public/Institutional zoning district.
2. Updates to transitional housing, supportive housing, and emergency shelters. The State of California passed AB-139 which adjusts how a city may regulate transitional and supportive housing. Additionally, the City's 5th and 6th Cycle Housing Element require the City to update the Municipal Code to comply with state law. The proposed changes require the City to treat supportive and transitional housing in a manner that is similar to a single-family residence.
3. Updates to emergency shelters. The State of California passed AB-139 which adjusts how a city may regulate emergency shelters. Additionally, the City's 5th and 6th Cycle Housing Element require the City to update the Municipal Code to comply with state law. The proposed changes require robust standards for emergency shelters, which include occupancy standards, lighting, spacing, staffing ratios, security personnel requirements, among several other requirements that allow the City to ensure that emergency shelters are operated in safe manner.
4. Updates to trash enclosures. Trash enclosures are required for new residential, commercial, and industrial development. Staff has received feedback from our Code Enforcement team that illegal waste dumping and illegal access to trash enclosures are becoming more common. Additionally, federal and state water quality standards require pollutants to be addressed from trash enclosures. The proposed changes will impose standards that enhance safety, reduce illegal entry/dumping, reduce potential pollutants, and provide consistency to applicants that are building trash enclosures within the City of Temecula.
5. Updates to self-storage or mini-ware house facilities. The proposed changes further clarify existing requirements.
6. Updates to projects using the Affordable Housing Overlay Zone. The proposed changes reinforce Affordable Housing Overlay Zone requirements for properties located within the Public/Institutional zoning district.

7. Updates to Large Family Daycare facilities. The State of California passed SB-234 which removed zoning permit and business license requirements for Large Family Daycare facilities. The proposed changes consolidate Small and Large Family Daycare facilities into one use and further clarifies that these uses are permitted by right. Staff has confirmed that licensing and inspections will still occur through the State of California and the Fire Prevention Division.
8. Updates to Accessory Dwelling Unit Language. The proposed change removes antiquated “Secondary Dwelling Unit” language from the Municipal Code. The changes also further clarify the components of a kitchen.
9. Updates to artificial/synthetic turf. The proposed changes re-affirm that artificial/synthetic turf is not a plant. The changes further clarify that artificial/synthetic turf is permitted for bona fide recreational facilities and single-family homes.

LEGAL NOTICING REQUIREMENTS

Notice of the public hearing was published in *The Press-Enterprise* on November 18, 2021.

ENVIRONMENTAL DETERMINATION

In accordance with the California Environmental Quality Act, the proposed Ordinance No. 2021- 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 proposed Municipal Code amendments are minor policy changes, changes required by state law or revisions that reflect the City’s standard practice and patterns, and clarifications or typographical corrections, which do not result in a significant increase in the intensity or density of any land use above what is currently allowed. A Notice of Exemption has been prepared and will be filed in accordance with CEQA and the State CEQA Guidelines if the ordinance is adopted.

- ATTACHMENTS:**
1. Planning Commission Resolution
 2. Exhibit A – Draft City Council Ordinance
 3. Notice of Public Hearing