

**PC DRAFT RESOLUTION  
CONDITIONAL USE PERMIT**

## **PC RESOLUTION NO. 19-**

### **A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA APPROVING PLANNING APPLICATION NO. PA19-0718, A CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF THREE (3) BUNGALOWS ON THE SOMMERS BEND PROJECT LOCATED WITHIN PLANNING AREA 30 OF THE RORIPAUGH RANCH SPECIFIC PLAN**

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

A. On May 13, 2019, Trent Heiner filed Planning Application No. PA19-0718 a Modification in a manner in accord with the City of Temecula General Plan and Development Code.

B. The Application was processed including, but not limited to a public notice, in the time and manner prescribed by State and local law.

C. The Planning Commission, at a regular meeting, considered the Application and environmental review on November 6, 2019, 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 in opposition to this matter.

D. At the conclusion of the Planning Commission hearing and after due consideration of the testimony, the Planning Commission approved Planning Application No. PA19-0718, subject to and based upon the findings set forth hereunder.

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

Section 2. Further Findings. The Planning Commission, in approving the Conditional Use Permit Application hereby finds, determines and declares that:

Conditional Use Permit, Development Code Section 17.04.010.E

A. The proposed use is consistent with the General Plan and Development Code;

*Per Section 5.02.6 of the Roripaugh Specific Plan, “whenever a use has not specifically been listed as being a permitted use in a particular zone classification within the Specific Plan, it shall be the duty of the Community Development Director to determine if said use is: (1) consistent with the intent of the zone; and (2) compatible with other listed permitted uses.” It is the determination of the Community Development Director that the proposed bungalows would function as a “hotel” use and that use would require a conditional use permit. Therefore the use is consistent with the General Plan for Temecula and the Roripaugh Ranch Specific Plan, as well as the requirements for State law and other Ordinances of the City.*

B. The proposed conditional use is compatible with the nature, condition and development of adjacent uses, buildings and structures and the proposed conditional use will not adversely affect the adjacent uses, buildings or structures;

*The construction of three bungalows on the project site is compatible with the nature, condition and development of adjacent uses, buildings and structures because the bungalows will be under jurisdiction and control by the Sommers Bend Home Owners Association and are allowed to be reserved only by residents of the Sommers Bend development and are not permitted to be used as short term rentals. The proposed conditional use will not adversely affect the adjacent uses, buildings or structures as rules and regulations will be memorialized in the Association Rules which will be adopted by the Association in regards to the operation and enforcement of the bungalows.*

C. The site for a proposed conditional use is adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and required by the Planning Commission or City Council in order to integrate the use with other uses in the neighborhood.

*The project will allow for the construction of three bungalows that will serve the surrounding development to be constructed at this location. The site will remain adequate in size and shape to accommodate the yards, walls, fences, parking and loading facilities, buffer areas, landscaping, and other development features prescribed in the Development Code and Roripaugh Ranch Specific Plan as required by the Planning Commission or City Council in order to integrate the use with other uses in the neighborhood.*

D. The nature of the proposed conditional use is not detrimental to the health, safety and general welfare of the community.

*As conditioned, the project will meet all requirements of the Development Code, Roripaugh Ranch Specific Plan, General Plan, and Fire and Building Codes which provide safeguards for the health, safety and general welfare of the community. Therefore, the project is not anticipated to be detrimental to the health, safety and general welfare of the community. The project has been reviewed for, and as conditioned, has been found to be consistent with, all applicable policies, guidelines, standards and regulations intended to ensure that the development will be constructed and function in a manner consistent with the public health, safety and welfare.*

E. That the decision to conditionally approve or deny the application for a Conditional Use Permit be based on substantial evidence in view of the record as a whole before the Planning Commission or City Council on appeal

*The decision to conditionally approve the application for a Conditional Use Permit has been based on substantial evidence in view of the record as a whole before the Planning Commission*

Section 3. Environmental Findings. The Planning Commission hereby makes the following environmental findings and determinations in connection with the approval of the Conditional Use Permit:

*In accordance with the California Environmental Quality Act (CEQA), the environmental impacts of the original project were studied in an EIR that was certified in 2002 (SCH 97121030), and in subsequent addenda prepared in April 2013, March 2016, and December 2017, all of which are now final. In compliance with CEQA Guidelines Section 15164 an Addendum to the EIR has been prepared which concludes that the proposed modifications do not result in any new or greater environmental impacts than were previously analyzed, disclosed, and mitigated. None of the conditions in CEQA Guidelines Section 15162 are present to require the preparation of a subsequent EIR, and no additional environmental review is required.*

Section 4. Conditions. The Planning Commission of the City of Temecula approves Planning Application No. PA19-0718, a Conditional Use Permit for the construction of three (3) bungalows on the Sommers Bend project site located within Planning Area 30 of the Roripaugh Ranch Specific Plan, subject to the Conditions of Approval 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 6th day of November , 2019.

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Gary Watts, Chairperson

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. 19-    was duly and regularly adopted by the Planning Commission of the  
City of Temecula at a regular meeting thereof held on the 6th day of November, 2019, by the following  
vote:

AYES:           PLANNING COMMISSIONERS:

NOES:           PLANNING COMMISSIONERS:

ABSENT:         PLANNING COMMISSIONERS:

ABSTAIN:        PLANNING COMMISSIONERS:

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Luke Watson  
Secretary