

CONDITIONS OF APPROVAL
MINOR CONDITIONAL USE PERMIT MODIFICATION 2025-00037
APRIL 8, 2026

PLANNING DIVISION

The project, Minor Conditional Use Permit 2025-00037, approval is for a Revised Permit to the original established Conditional Use Permit 2013-250 to revise the ABC license from Type 42 to Type 48 allowing Beer, Wine and Spirits, an establishment offering alcoholic beverages for on-site consumption, sales for off-site consumption (“off-site sales”), expanding the hours to 12 a.m. and for events expanding hours to 2 a.m. The business would continue to maintain its existing approval for on-site appetizer food items and the sale of associated accessories. The project site is located at 39400 Murrieta Hot Springs Road, Suite 123A (APN #913-160-066), subject to the issuance of a Type 48 license through the California Department of Alcoholic Beverage Control (“Project”).

General

1. Sale of beer and wine for off-site consumption approved under this Minor Conditional Use Permit shall be in compliance with all operational standards, and use descriptions as referenced in the May 14, 2014 and April 8, 2026 Planning Commission Staff Reports for this Project (“Report”) and the Operations Statements dated December 30, 2013, and April 8, 2026, as described in Attachment 1, Exhibit B to the Staff Report, and any verbal agreements or representations made to the decision making body as part of its consideration of the Project.
2. The Permittee/Owner shall defend (with attorneys approved by the City), indemnify and hold harmless the City of Murrieta, its agents, officers, and employees from any claims, damages, action, or proceeding against the City or its agents, officers, or employees to attack, set aside, void, or annul an approval of the City, its advisory agencies, appeal boards, or legislative body concerning this approval for Minor Conditional Use Permit 2025-00037. The City will promptly notify the permittee/owner of any such claim, action, or proceeding against the City and will fully cooperate in its defense.
3. This permit shall be effective on the eleventh (11th) day (“Effective Date”) after the date of the decision by the Planning Commission, unless appealed to the City Council.
4. Any fees due the City of Murrieta for processing this project shall be paid to the City within thirty (30) calendar days of the Effective Date. Failure to pay such outstanding fees within the time specified shall invalidate any approval or conditional approval granted. No permits or other actions authorized by this action shall be processed by the City, nor permitted, authorized, or commenced until all outstanding fees are paid to the City.
5. Pursuant to Section 711.4 of the State of California Fish and Game Code, the Permittee/Owner is required to make payment of a \$50.00 filing fee for a Notice of Exemption. Said fees shall be paid to the Clerk/Recorder of the County of Riverside at the time the Notice of Exemption is filed pursuant to Section 21152 of the State Public Resources Code. If this fee is not paid, the approval of this project shall not be operative, vested, or final. To comply with State-mandated time lines for filing a Notice of Exemption, the above fee must be delivered to the Planning Division within two (2)

working days after the Effective date or filed electronically with the County Recorder and a copy of the receipt provided to staff.

6. The use of these premises shall comply with the standards of the Murrieta Development Code (“MDC”) and all other applicable State and Federal codes.
7. Any proposed remodel to the premises shall be in substantial conformance with the approved plans, dated April 8, 2026. Any proposed change substantially different than the approved plans shall require an amendment to this approval in accordance with the MDC. The permit shall run with the land and be binding on all successors in interest to the Property.
8. Subsequent modifications of this approval, which do not intensify the use, including alteration of parking and circulation design, minor changes to the Conditions of Approval, interpretations of the Conditions of Approval relative to intent, necessity of, and timing, may be approved by the City Planner, unless the City Planner requires a Substantial Conformance or Revised Permit application in accordance with the MDC.
9. Any activities/entertainment shall be consistent with the Statement of Operations within (not outside) the facility only.
10. The hours open to the public shall be limited between:
 - a. 11:00 a.m. to 12:00 a.m. on Sundays through Thursdays
 - b. 11:00 a.m. to 12:00 a.m. on Fridays and Saturdays
 - c. 12:00 a.m. to 2:00 a.m. on Sundays through Saturdays (for private events only – no alcohol will be served after 1:30 a.m.)
11. A restaurant use at this location is not approved with this Conditional Use Permit and Modification.
12. This approval (use) shall be used within two (2) years of the approval date, otherwise it shall become null and void and of no effect whatsoever in accordance with MDC Section 16.52.060 B.
13. Prior to the expiration of the approval, the Permittee/Owner may request an extension of time in which to use this approval in accordance with the MDC Section 16.80.060.
14. In the event the use hereby permitted ceases operation for a period of 180 days or more, this approval shall become null and void pursuant to MDC Section 16.52.060.
15. The project site shall be the point-of-sale for the purpose of collecting any sales tax on goods that are sold, delivered, or rented on the site.
16. At all times during the conduct of the use(s) allowed by this permit, the use(s) shall maintain and keep in effect valid licensing from appropriate local, state, and/or federal agencies as required by law. Should such required licensing be denied, expire, or lapse at any time in the future, this permit shall become null and void.
17. No signs are approved are approved as part of this project approval. Prior to installation of any on-site advertising or directional signs, a signing plan shall be submitted to and

approved by the Planning Division pursuant to the requirements of Section 16.38 of the City's Development Code.

18. The Permittee/Owner shall comply with all applicable provisions of federal, state, and local ordinances in effect at the time of building permit issuance.
19. In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, or is a public nuisance, this permit shall be subject to the revocation procedures in MDC Chapter 16.82.
20. No architectural changes to the exterior of the building are permitted under this Conditional Use Permit.

Alcohol Beverage Sales

21. Within 48 hours of any graffiti being painted or marked upon the premises or on any adjacent area under the control of the Permittee/Owner, the Permittee/Owner shall report the graffiti to the Murrieta Police Department and remove or paint over the graffiti.
22. There shall be no exterior advertising or sign of any kind or type, including advertising directed to the exterior from within, promoting or indicating the availability of alcoholic beverages, except for the business name.
23. There shall be no interior displays of alcoholic beverages or signs which are clearly visible to the exterior. No more than 25% of the square footage of each of the windows and clear doors of an off-sale premises facility shall bear advertising or signs of any sort, and all advertising and signage shall be placed and maintained in a manner that ensures that law enforcement personnel have a clear and unobstructed view of the interior of the premises, including the area in which the cash registers are maintained, from the exterior public sidewalk or entrance to the premises.
24. The Permittee/Owner shall provide night-time lighting of the building exterior. The lighting shall provide sufficient illumination to enable law enforcement personnel to identify a person.
25. The Permittee/Owner shall remove litter from the premises, public sidewalks, and parking lots daily, and shall keep the areas swept weekly to prevent debris build-up. Trash cans shall be added, and "No Littering" signs shall be posted on the premises.
26. The sale of alcoholic beverages for on-site consumption shall be permitted only between the hours of operation as indicated in Condition of Approval # 10.
27. The requirements of Murrieta Municipal Code Chapter 5.23 regarding smoking shall be complied with at all times.
28. Prior to submittal to the Alcoholic Beverage Control (ABC) of any ABC Zoning Affidavit, the applicant shall submit to the City a signed letter addressed to the ABC stipulating to include the required City of Murrieta conditions in the ABC license.

29. Loitering is prohibited on or around the premises. "No Loitering" signs (size and location to be determined by the City) are required.
30. In compliance with ABC regulations, no person under the age of 21 shall be employed as a bartender or cocktail server. No person under the age of 18 shall serve alcohol within an eating place only if such service is (an) incidental part of overall duties. Within retail stores, employees ages 17 and younger may sell alcohol only if directly supervised by someone at least 21; otherwise no person under the age of 18 may sell alcoholic beverages.
31. No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises.
32. Sale of alcoholic beverages for off-site consumption shall be limited to the beer and wine products, in accordance with the ABC License, that is offered for on-site consumption.
33. The Permittee/Owner and management of shall provide ABC approved and/or certified training for all employees who sell or serve alcoholic beverages at the first available opportunity or no later than 30 days from the employee's date of employment.
34. The Permittee/Owner shall at all times maintain records which reflect separately the gross sale of alcoholic beverages and the gross sales of all other products of the licensed business. Said records shall be kept no less frequently than on a quarterly basis and shall be made available to the Police Department within five (5) business days following notice.

Drinking Establishments

35. The sale of alcohol shall be subject to Type 48 license requirements as issued by the California Department of Alcoholic Beverage Control (ABC), unless modified herein.
36. No reduced price or no cost alcoholic beverage tasting promotion shall be allowed after 8:00p.m. each day.
37. There shall not be a requirement to purchase a minimum number of drinks in lieu of a cover charge or admission fee.
38. This use must at all times comply with the Noise Section (16.30) of the City of Murrieta's Development Code. All sound resulting from the business and/or live entertainment activities shall be substantially contained within the building in compliance with city noise regulations.

Off-site Sales Operations

39. No off-site sales within one (1) hour of closing.
40. Surveillance cameras and equipment shall be installed to record all purchases and attempted purchases of alcoholic beverages in accordance with the specifications provided by the police department. The equipment shall be able to record a minimum of twenty-four (24) hours of operation. The facility operator shall maintain the recordings for the prior sixty (60) days and make the recording available to the police department within twenty-four (24) hours upon request. The recording shall be made available for

use in evidence against persons who purchases or attempted to purchase alcoholic beverages as well as for use in court or any administrative proceeding.

Outdoor Seating/Dining

41. The outdoor seating area barrier shall be a minimum of three (3) feet high and meet the requirements of the City's Outdoor Dining and Seating Design Guidelines.
42. Prior to constructing the outdoor seating/dining area, the applicant shall obtain a building permit. The plans shall include details of all exterior elements within the outdoor seating area, including pictures and/or brochures of all proposed exterior elements for review and approval. All physical elements (furniture, umbrellas, etc.) associated with the outdoor dining area must be compatible with the overall design and theme of the shopping center.
43. The owner/permittee shall comply with the standards established by the State Department of Alcoholic Beverage Control and the City's Development Code section 16.44.120 regarding alcohol sales and any restriction of alcohol being served and or consumed in the outdoor dining area without providing an approved perimeter barrier for the outdoor dining area.
44. No advertising, symbols, or lettering is allowed on umbrellas displayed in the outdoor dining area. No advertising or business identification signs shall be part of an outdoor dining area.
45. The outdoor eating area shall follow all standards of the Community Commercial (CC) zone, and standards located in section 16.44.120, and all other applicable standards within the City's of Murrieta's Development Code.
46. Waste receptacles shall be provided in outside seating areas.
47. Maintenance of all outdoor dining areas shall be kept in good condition both aesthetically and structurally.
48. In compliance with Murrieta Municipal Code Section 5.23-Smoking Pollution Control, the applicant shall install an exterior sign indicating "No Smoking".

Prior to Building Final:

49. The permittee/owner shall contact the Planning Division a minimum of 72-hours (to allow for scheduling) prior to any final inspection for this project.

Project Specific:

50. If noise complaints occur, upon the request of the City, the permittee shall provide/prepare a noise study to demonstrate that the operation meets the City's noise standards. If the noise complaint is from an adjacent business, the noise study shall be taken inside the neighboring business suite.

BUILDING AND SAFETY DIVISION

51. All tenant improvement work shall comply with the current California Building Codes (CBC), and related Codes and Ordinances of the City of Murrieta.
52. Four (4) sets of plans shall be submitted for a building permit, and shall include building data, building use/occupancy, construction type, building square foot area, building setbacks; Suite leased square foot area and related building means of egress and ensuing egress discharge to the public right-of-way with applicable fees for plan review and permitting of the proposed work.
53. Alteration improvements, egress components, etc., shall be clearly indicated on the plan submittal and will need to be clearly and concisely described and represented on the plans.
54. Separate permits shall be obtained from the City of Murrieta Building & Safety Department for wall signs. Electrical and lighting controls shall comply with the current California Electrical and California State Energy Codes.
55. Maintain a minimum 48"-inch wide exterior route of travel at all building frontages; with a minimum 36-inch width for navigating around/through obstructions, columns, chairs etc.
56. Egress paths from the building exit door(s) shall be maintained from the building and through the outside dining area. Gates shall not have locking or latching devices except for panic hardware (push pad).

Prior To Building Final:

57. Final permit approvals shall be obtained, and any outstanding fees shall be paid to all City Departments/Divisions which may include Fire, Planning, Engineering, Building & Safety, and the City Landscape Architect, prior to a tenant occupancy of a building permitted as a "shell only" building, a building shell "Notice of Inspection Completion", and the issuance of a Certificate of Occupancy from the City of Murrieta Building & Safety Division.

FIRE DEPARTMENT:

58. Fire sprinklers may need to be relocated to provide adequate coverage when improvements are installed. Engineered drawings must be submitted to the Fire Department for approval prior to any system modification.
59. Portable multi-purpose fire extinguishers with a minimum rating of 2A-10BC must be installed so that the top of the fire extinguisher is not more than 5' ft above and not less than 3' ft from the bottom of the extinguisher to the floor. (2010 CFC 906.9). Contact a certified extinguisher company for proper placement of equipment.
60. Installation & monitoring to comply with NFPA 72 and all other applicable requirements shall be determined prior to approval of Certificate of Occupancy or Tenant Improvement.
61. All interior decorative materials must be flame-resistant. Prior to release of occupancy, the Owner/Permittee must submit the manufacturer's State Fire Marshal's listings of all

materials being used. Cloth and other flammables must display a label of the State Fire Marshal's seal of approval.

POLICE DEPARTMENT

62. The Owner/Permittee shall comply with the approved project description and conditions of approval. This Conditional Use Permit is subject to the revocation procedures in MDC Chapter 16.82

END OF CONDITIONS