

**PLANNING COMMISSION
RESOLUTION NO. 2026-_____**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY
OF MURRIETA APPROVING MINOR CONDITIONAL USE
PERMIT (MCUP) 2025-00037 AND IMPLEMENTATION OF CEQA
EXEMPTION SECTION NO. 15301 “EXISTING FACILITIES”**

The Planning Commission of the City of Murrieta hereby resolves as follows:

WHEREAS, on July 22, 2025, the City of Murrieta received an application for Minor Conditional Use Permit (MCUP) 2025-00037 “Project” for approval of a Minor Conditional Use Permit to conduct sales for on-site consumption of distilled spirits, wine, and beer (drinking establishment) within a 2,417 square foot leased area. The applicant seeks to change their existing Type 42 Alcoholic Beverage Control (ABC) license to a Type 48 ABC license, as they currently sell beer and wine. The subject property is located at 39400 Murrieta Hot Springs Road, Suite 123A, Murrieta, CA (APN 913-160-066).

WHEREAS, the Project site is separated by Murrieta Hot Springs Road and beyond an existing Civic Institutional property to the north, Single-Family (2) to the south, Community Commercial and Single-Family (2) to the west, and Community Commercial and Multi-Family residential (1) further to the east; and

WHEREAS the Project site on the City of Murrieta General Plan 2035 Land Use Map has a land use designation of Commercial; and

WHEREAS, the Project site on the City of Murrieta Zoning Map is zoned Community Commercial, which allows for bars that serve alcohol as a Minor Conditional Use Permit in accordance with Table 16.10-1 Table 3-12.6 of Development Code sections 16.10.010 and 16.44.030, respectively. The application was deemed complete on March 8, 2026, and

WHEREAS, Section 16.52.020.B.2.b of the Murrieta Municipal Code (MMC) provides that Minor Conditional Use Permits may be approved by the Planning Director; and

WHEREAS, Section 16.52.020.B.4.c and Section 16.52.020.B.4.g of the Murrieta Municipal Code (MMC) authorizes the Development Services Director approve and impose conditions of approval upon Minor Conditional Use Permit applications; and

WHEREAS, Section 16.44.030.C.3 requires a Conditional Use Permit approved by the Planning Commission for an exception to use regulations; and

WHEREAS, the City of Murrieta has undertaken a review of the requests, including an environmental analysis pursuant to the California Environmental Quality Act; and

WHEREAS, the Project is exempt under CEQA Guidelines Section 15301 – “Existing Facilities” - Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The Project

involves negligible changes to the existing use, and all proposed alterations are interior and minor in scope; and

WHEREAS, a public hearing was duly noticed for the Planning Commission meeting of April 8, 2026, by mailing a notice to property owners within a 300-foot radius of the site on March 29, 2026, publishing the notice in The Press Enterprise newspaper on March 29, 2026, and posting the Project site on March 29, 2026; and

WHEREAS, at its meeting on April 8, 2026, the Planning Commission used its independent judgment and considered all the reports, recommendations, and testimony set forth above; and

WHEREAS, the Planning Commission has considered the Minor Conditional Use Permit as proposed; and

NOW, THEREFORE, the Planning Commission hereby resolves as follows:

SECTION 1. The Planning Commission makes the following findings regarding Minor Conditional Use Permit (MCUP) 2025-00037 in accordance with Section 16.52.040 of the Murrieta Municipal Code:

1. The proposed use is conditionally allowed within, and would not impair the integrity and character of, the subject zoning district and complies with all applicable provisions of the development code;

FACTS: The Murrieta Development Code allows for bars as a Minor Conditional Use Permit in accordance with Table 16.10-1 and Table 3-12 of Development Code sections 16.10.010 and 16.44.030, respectively. The proposed use complies with the applicable requirements identified in Sections 16.44.030 Alcohol Sales and 16.10.020 Community Commercial and Commercial Districts General Development Standards, including, but not limited to, alcohol beverage sales standards.

2. The proposed use is consistent with the objectives, policies, general land uses, and programs of the general plan, and any applicable specific plan;

FACTS: The Project is consistent with Policy LU-1.5 and LU-1.6, which encourages a wide variety of retail and commercial services in appropriate locations. The goals also promote development that reduces infrastructure construction costs, allowing for better use of existing and planned public facilities. The Project is consistent with General Plan Goal LU-9 for land use patterns and urban design that support lifestyles and businesses. The addition of alcoholic sales for off-site consumption implements Policy Objectives LU-1.2 and ED-4.1 of the General Plan and Goal LU-1 and ED-4, by providing the community with a range of services that promote a positive balance between the supply of retail opportunities and demand for goods and services.

3. The approval of the Minor Conditional Use Permit Modification for the proposed expanded use complies with the requirements of the California Environmental Quality Act (CEQA), and there will be no significant negative impacts upon environmental quality and natural resources that could not be properly mitigated and monitored;

FACTS: The project is categorically exempt from further CEQA review pursuant to Section 15301 Existing Facilities of the CEQA guidelines, based upon the following findings: The application is to permit a use at an existing facility consistent with the CEQA Class 1 Categorical Exemption (Existing Facilities) for the operation, repair, maintenance, and permitting, leasing, licensing, or minor alteration of existing private structure. The project involves negligible changes to the existing use, and no exterior modifications are within the scope of this project.

4. The site is suitable for the type and intensity of use or development that is proposed;

FACTS: The site is developed and includes existing structures. The site fronts two General Plan Circulation Element streets, Murrieta Hot Springs Road and Margarita Road. The site is adjacent to an existing Community Commercial property to the north and west, with single-family residential to the south. Multi-family and Civic/Institutional are to the east, and Community Commercial and Single-Family-2 are to the west. The continued use as a bar is located within an existing structure on a parcel that is a part of a developed commercial center (Margarita Square). The site is adequately sized to accommodate the proposed use while complying with the City's development standards.

5. There are adequate provisions for sanitation, water, and public utilities and services to ensure public convenience, health, safety, and general welfare; and

FACTS: The existing commercial center is currently receiving service from the following utility purveyors: Eastern Municipal Water District (water and sewer), Southern California Edison Company (electricity), and Southern California Gas Company (gas), and the proposed use will not require expansion of any services to ensure public convenience, health, safety, and general welfare.

6. The proposed expansion of use would not create significant noise, traffic, or other conditions or situations that may be objectionable or detrimental to other allowed uses in the vicinity or adverse to the public convenience, health, safety, or general welfare, or materially injurious to properties and improvements in the vicinity of the subject property.

FACTS: The proposed use at this location was reviewed, conditioned, and determined not to create any significant impacts on noise or traffic, nor to have an adverse impact on public health, safety, and welfare on properties and improvements in the vicinity. The project was conditioned to provide surveillance in compliance with the code and to the satisfaction of the Police Department, and to allow for extended hours of operation with a closing time of 2 a.m.

SECTION 2. Findings Pursuant to Development Code section 16.44.030.F Public Convenience or Necessity.

1. The public convenience would be served by the establishment of the proposed use.

FACTS: The proposed sale of distilled spirits, wine, and beer with an eating and drinking establishment use for on-site consumption at this location serves a public convenience, as this allows customers to access this type of service that they may otherwise have to travel to surrounding communities to experience, and thus would serve as a public convenience.

2. The proposed use is not anticipated to be the source of nuisance behavior associated with excessive consumption of alcoholic beverages.

FACTS: The proposed addition of alcoholic sales for off-site consumption is not anticipated to be the source of nuisance behavior if the property owner is vigilant with enforcing the conditions of approval, municipal code standards, and ABC requirements during operations. The Project has general conditions to limit nuisance behavior associated with sales of alcoholic beverages, including the type of alcohol sold, the manner in which the alcohol is displayed, and limitations placed on the area designated for alcoholic beverage sales in compliance with Municipal Code section 16.44.030 D and E.2. The statement of operations identifies private security staffing for parties. The Police Department recommendation is that this use would not pose a detriment to the immediate neighborhood based on records for the calls for service within this area related to this type of use. The Police Department anticipates that the proposed use would increase calls for service; however, this increase is expected to be manageable, and therefore, they have indicated that such a use would not pose a detriment to the immediate neighborhood.

3. The proposed use would not be detrimental to the public health, safety, or welfare.

FACTS: The use of the premises for continued alcohol sales for off-site consumption in accordance with the conditions of approval, municipal code, and Alcoholic Beverage Control (ABC) requirement would not have an adverse impact on the public health, safety, and welfare or properties and improvements in the vicinity. The project site is within an urbanized area, and it is not located within 600 feet of a sensitive receptor (K-12 private or public school or Public Park) as identified in section 16.44.030. While calls for service are anticipated to increase, the Police Department believes that the proposed use would not be detrimental to the public health, safety, or welfare of the immediate neighborhood, based on the records of calls for service within this area.

4. The proposed use would not increase the severity of the existing law enforcement or public nuisance problems in the surrounding area.

FACTS: The proposed addition of alcoholic sales for off-site consumption is not anticipated to create public nuisance because the Project is subject to conditions that limit time, place, and manner of alcohol sales, all of which reduce the likelihood of public nuisance issues associated with the sales of alcohol. While calls for service are expected to increase within this area, the Police Department expects this increase to be manageable which therefore the use is not expected to pose as a detriment to the immediate area and surrounding neighborhood with the implementation of the conditions of approval during operations.

5. The proposed use is consistent with the objectives, policies, general land uses, and programs of the general plan, and any applicable specific plan.

FACTS: The addition of alcoholic sales for off-site consumption implements Policy Objectives LU-1.2 and ED-4.1 of the City's General Plan and General Plan Goal LU-1 and ED-4, by providing the community with a range of services which promote a positive balance between the supply of retail opportunities and demand for goods and services. The addition of alcohol sales with a liquor store use is a response to the current market for the need of these types of uses in the community while encouraging a wide variety of

services and providing a diversified economic base. The Project is not located within any applicable Specific Plan.

NOW THEREFORE, based on the findings set forth above, the Planning Commission of the City of Murrieta hereby approves the Minor Conditional Use Permit subject to the Conditions of Approval, attached hereto as Attachment 1, Exhibit A, Statement of Operations, Exhibit B, and to the 15301 CEQA Exemption as Attachment 2.

SECTION 2. Under Government Code Section 66020, the 90-day approval in which the Applicant may protest the imposition of any fees, dedications, reservations, or exaction imposed under this approval shall begin on April 8, 2026.

SECTION 3. The use of this Minor Conditional Use Permit shall be subject to the regulations of this and any other applicable governmental agency.

SECTION 4. Issuance of this Minor Conditional Use Permit by the City of Murrieta does not authorize the Applicant and successors for this Permit to violate any Federal, State, or City laws, ordinances, regulations, or policies thereof.

SECTION 5. The City of Murrieta Municipal Code, Chapter 1.26 (Administration Citations), and Chapter 16.84 (Enforcement Provisions) provide for the issuance of Administrative citations for municipal code violations. Should non-compliance with said terms and conditions of this Development Plan permit or any violation of the Municipal Code, the City has the right to issue administrative citations containing an assessment of civil fines for each violation and collect administrative fines for violations.

SECTION 6. According to the above findings, the Planning Commission of the City of Murrieta adopts the environmental determination (15301 Exemption), adopts this Resolution approving Minor Conditional Use Permit 2025-00037 subject to the conditions of approval in attached Exhibit A (Conditions of Approval), Exhibit B (Statement of Operations), and CEQA 15182 Exemption.

PASSED, APPROVED, AND ADOPTED THIS 8th DAY OF APRIL, 2026

Planning Commission, Chairperson

ATTEST:

Carl Stiehl, City Planner

I, Carl Stiehl, City Planner, City of Murrieta, California, do hereby certify under penalty of perjury that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission on the _____ day of _____, 2026 by the following roll call vote:

MOTION MADE BY COMMISSIONER _____

SECONDED BY COMMISSIONER _____

AYES: _____

Noes: _____

Absent: _____

Abstained: _____

Carl Stiehl, City Planner