

PC RESOLUTION NO. 2024-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF TEMECULA RECOMMENDING THAT THE CITY COUNCIL ADOPT A RESOLUTION ENTITLED “A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMECULA ADOPTING SPECIFIC PLAN AMENDMENT NO. 11 TO THE OLD TOWN SPECIFIC PLAN TO 1) ADD CLASS IV ENTERTAINMENT ESTABLISHMENTS AS A PERMITTED USE IN THE DOWNTOWN CORE DISTRICT 2) IMPLEMENT A ONE YEAR OUTDOOR LIVE ENTERTAINMENT PILOT PROGRAM 3) AND MAKE A FINDING OF EXEMPTION UNDER CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES SECTION 15061(b)(3)”

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

A. The Old Town Specific Plan (SP-5) was approved by the City Council on February 22, 1994 by the adoption of Ordinance No. 94-05. Amendment No. 1 to the Old Town Specific Plan (SP-5) was approved on January 23, 1996 by the adoption of Ordinance No. 96-01. Amendment No. 2 to the Old Town Specific Plan (SP-5) was approved on May 13, 1997 by the adoption of Ordinance No. 97-06. Amendment No. 3 to the Old Town Specific Plan (SP-5) was approved on July 13, 1999 by the adoption of Ordinance No. 99-12. Amendment No. 4 to the Old Town Specific Plan (SP-5) was approved on October 10, 2000 by the adoption of Ordinance No. 00-11. Amendment No. 5 to the Old Town Specific Plan (SP-5) was approved on August 24, 2004 by the adoption of Ordinance No. 04-08. Amendment No. 6 to the Old Town Specific Plan (SP-5) was approved on June 13, 2006 by the adoption of Ordinance No. 06-07. Amendment No. 7 to the Old Town Specific Plan (SP-5) was approved on May 25, 2010 by the adoption of Ordinance No. 10-09. Amendment No. 8 to the Old Town Specific Plan (SP-5) was approved on September 5, 2017 by the adoption of Resolution No. 17-56. Amendment No. 9 to the Old Town Specific Plan was approved on May 26, 2020 by the adoption of Resolution No. 2020-32. Amendment No. 10 to the Old Town Specific Plan was approved on November 29, 2022 by the adoption of Resolution No. 2022-90. The Old Town Specific Plan as originally approved and as amended by Amendments Nos. 1-10 shall be referred to in this Resolution as the “Specific Plan.”

B. The City Council of the City of Temecula certified the Old Town Specific Plan Final Program Environmental Impact Report (“FPEIR”) on May 11, 2010.

C. Staff initiated Long Range Project No. LR23-0429, a Specific Plan Amendment, in a manner in accord with the City of Temecula General Plan and Development Code. The purpose of the Specific Plan Amendment No. 11 to the Old Town Specific Plan (SP-5) is to allow for the establishment of a class IV entertainment establishment in the Downtown Core area of the Old Town Specific Plan and adopt a one year outdoor entertainment pilot program (“Project”).

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

E. On June 5, 2024, the Planning Commission of the City of Temecula held a duly noticed public hearing on the proposed Project at which time all persons interested in these actions had the opportunity and did address the Planning Commission.

F. After hearing all written and oral testimony by staff and all written comments from the public on the proposed actions and duly considering the comments received, the Planning Commission adopted Resolution No. 2024-09 recommending that the City Council adopt the proposed Project.

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

Section 2. Further Findings. Pursuant to Temecula Municipal Code Section 17.16.020, the Planning Commission, in recommending that the City Council approve Amendment No. 11 to the Specific Plan hereby finds, determines and declares that:

A. The proposed Specific Plan Amendment is consistent with the General Plan and Development Code.

The proposed Specific Plan Amendment conforms to the existing policies within the City of Temecula General Plan. The proposed Specific Plan Amendment will allow a class IV entertainment establishment (a business with a Type 90 ABC license that provides live entertainment) in the Downtown Core area of the Old Town Specific Plan. In addition, the Specific Plan amendment will allow for a pilot program that will allow outdoor live entertainment in Old Town. The General Plan Land Use Element, as noted on page LU-26, anticipates that the City will provide comprehensive planning of large areas and identifies the Old Town Specific Plan as a specific plan area. The proposed Specific Plan Amendment is consistent with the General Plan Land Use Element Goal 7 of having "A viable, high-quality Old Town Temecula area that enhances the City economically, preserves historic structures, and provides civic, cultural, shopping, and meeting and gathering places for tourists and residents." Allowing live entertainment will further the goal of providing cultural gathering places for tourists and residents.

B. The proposed specific plan amendment would not be detrimental to the public interest, health, safety, convenience or welfare of the city.

The proposed Specific Plan Amendment has been reviewed pursuant to the City's General Plan and all applicable State laws and has been found to be consistent with the policies, guidelines, standards and regulations intended to ensure that the live entertainment will be conducted in a manner consistent with the public health, safety and welfare. The proposed Specific Plan Amendment is consistent with Goal 3 of the Economic Development Element of the General Plan which states "A sound economic base providing a fiscal foundation for the City, quality community facilities, and high service levels."

C. The subject property is physically suitable for the requested land use designations and the anticipated land use developments.

The Old Town Specific Plan consists of approximately 153 acres, and the subject area of the Specific Plan Amendment (the Downtown Core district) comprises approximately 48 acres of the Specific Plan. As outlined in the Land Use Element of the City's General Plan (page LU-32), the purpose of Specific Plans is to provide a comprehensive planning document for large areas so that a coordinated planning approach is provided for all anticipated land use developments. As such, the entire Specific Plan area has been reviewed based on existing structures and future build out potential and is physically suitable for the land use designations provided by the Old Town Specific Plan. The Specific Plan amendment does not make any revisions to the land uses allowed in the Old Town Specific Plan. Instead, it will allow existing businesses to provide live entertainment.

D. The proposed specific plan amendment shall ensure development of desirable character which will be compatible with existing and proposed development in the surrounding neighborhood.

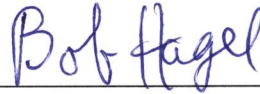
As identified within the City's General Plan Land Use Element, page LU-30, Old Town Temecula is a strong identification point for the City and the City desires to ensure that Old Town remains a focal point for social, cultural, civic, tourist and economic development activities. The Old Town Specific Plan was originally adopted to support and complement the desirable character of Temecula's downtown and the proposed Amendment to the Old Town Specific Plan further supports its downtown character. The City's General Plan Land Use Element states that the City will continue to implement the Old Town Specific Plan and will modify or amend it as needed to respond to development trends in the area (LU-40). As such, the proposed Amendment to the Old Town Specific Plan provides a means to enhance the area economically while also ensuring the development of a desirable character compatible with existing and proposed development in Old Town and the surrounding neighborhood.

Section 3. CEQA. In accordance with the California Environmental Quality Act (CEQA), Specific Plan Amendment No. 11 to the Old Town Specific Plan has been deemed to be exempt from further environmental review as there is no possibility that the proposed action would have a significant impact on the environment pursuant to State CEQA Guidelines Section 15061(b)(3). The Specific Plan amendment allows for one class IV entertainment establishment in the Downtown Core area of the Old Town Specific Plan. This license type would be granted to an already existing business that already holds a Type 42 ABC license and that also holds a Type 90 ABC license. So this would be an expansion of an already existing use in that the use could now hold specific events. In addition, the Specific Plan amendment will allow existing businesses to provide live outdoor entertainment, on a temporary basis as a one year pilot program. Therefore, there is no possibility this amendment would have a significant effect on the environment.

Section 4. Recommendation. The Planning Commission of the City of Temecula hereby recommends that the City Council adopt a resolution approving Specific Plan

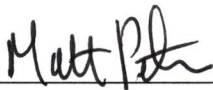
Amendment No. 11 to the Old Town Specific Plan in substantially the same form as attached hereto as Exhibit "B."

PASSED, APPROVED AND ADOPTED by the City of Temecula Planning Commission this 5th day of June, 2024.



Bob Hagel, Chair

ATTEST:



Matt Peters, Secretary

[SEAL]

STATE OF CALIFORNIA)
COUNTY OF RIVERSIDE)ss
CITY OF TEMECULA)

I, Matt Peters, Secretary of the Temecula Planning Commission, do hereby certify that the forgoing PC Resolution No. 2024-09 was duly and regularly adopted by the Planning Commission of the City of Temecula at a regular meeting thereof held on the 5th day of June, 2024, by the following vote:

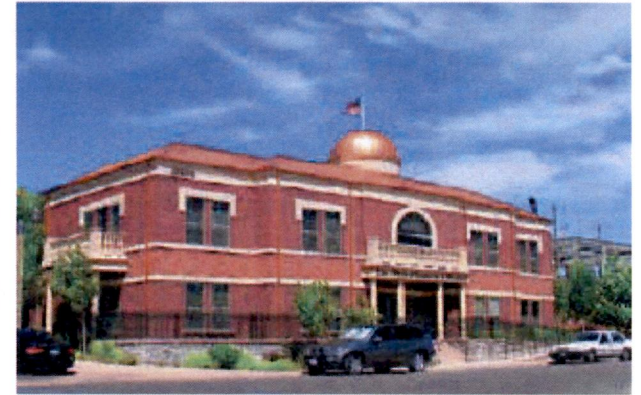
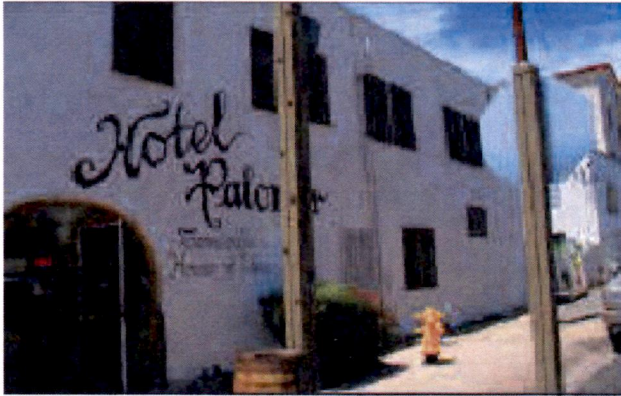
AYES:	4	PLANNING COMMISSIONERS:	Hagel, Ruiz, Solis, Turley-Trejo
NOES:	0	PLANNING COMMISSIONERS:	None
ABSENT:	0	PLANNING COMMISSIONERS:	None
ABSTAIN:	1	PLANNING COMMISSIONERS:	Watts



Matt Peters, Secretary

OLD TOWN SPECIFIC PLAN

City of Temecula—May 25, 2010



OLD TOWN SPECIFIC PLAN

**Comprehensively revised by the
City Of Temecula**

**Adopted by City Council on May 25, 2010
Ordinance No. 10-09: Specific Plan Amendment
Ordinance No. 10-10: Zone Change
Clerical revisions made August 11, 2010**

**Originally Adopted on February 22, 1994
Ordinance No. 94-05**

Previous Revisions Adopted:

January 23, 1996	Ordinance No. 96-01
May 13, 1997	Ordinance No. 97-06
July 13, 1999	Ordinance No. 99-12
October 10, 2000	Ordinance No. 00-11
August 24, 2004	Ordinance No. 04-08
June 13, 2006	Ordinance No. 06-07
September 5, 2017	Resolution No. 17-56
May 26, 2020	Resolution No. 2020-32
November 29, 2022	Resolution No. 2022-90
<u>July 9, 2024</u>	<u>Resolution No. 2024-XX</u>

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III. ADMINISTRATION AND HISTORIC PRESERVATION

TABLE III-4: APPROVAL AUTHORITY

Application Type	OTLRB Review	Administrative Approval	Director of Planning Approval	Planning Commission Approval	City Council Approval
Development Plan – 10,000 s.f. and under	X ²		X ⁶		
Development Plan – over 10,000 s.f.	X ²			X	
Major Modification	X ²	X ^{3,6}		X ³	X ³
Minor Modification ⁸	X ¹	X ⁶			
Minor Conditional Use Permit – existing building			X ^{4,6}		
Conditional Use Permit			X ^{5,6}	X ⁵	
Finding of Historic Appropriateness	X ^{2,7}	X ^{6,7}	X ^{6,7}	X ⁷	X ⁷
Temporary Use Permit ⁹		X ⁶			

Footnotes:

- 1.) Considered a Level One Project which does not require the review and approval of the OTLRB. However, the Planning Director may forward a Level One Project to the OTLRB if the project has the potential to have significant aesthetic impacts or special significance.
- 2.) Considered a Level Two Project which requires review and recommendation by the OTLRB before the project can be approved by the appropriate approving authority.
- 3.) Major Modifications may be approved administratively if the project was originally approved by the Director of Planning. Projects which were approved by the Planning Commission or City Council must be considered by the original approving body. Increases in building square footage that results in a building larger than 10,000 square feet shall be heard by the Planning Commission.
- 4.) Minor Conditional Use Permits, which are for conditionally permit uses to be conducted within an existing building, may be approved by the Director of Planning at a noticed public hearing.
- 5.) A Conditional Use Permit with a Development Plan shall be approved by the hearing body required for the Development Plan.
- 6.) For matters that are considered to have unique circumstances, special significance or aesthetic impacts, the Director of Planning may refer such matters to the Planning Commission.
- 7.) All applications for a Finding of Historic Appropriateness shall be reviewed by the OTLRB. A Finding of Historic Appropriateness may be issued either administratively, by the Director of Planning, by the Planning Commission, or by the City Council as part of the approval process for any Minor Modification, Major Modification, or Development Plan. The appropriate approval authority shall be based upon the approval authority for the application type.
- 8.) Outdoor Dining or Sidewalk Cafes require the approval of a Minor Modification if not approved as a part of the original Development Plan.
- 9.) Temporary Use Permits are limited to one permit per business per quarter for each calendar year, except as set forth in Section P.

III. ADMINISTRATION AND HISTORIC PRESERVATION

N. TEMPORARY USE PERMIT (TUP)

1. Purpose and Intent

The provisions of this chapter shall govern special events and temporary uses on private commercial property in Old Town. Special events on public property in Old Town shall be governed by Chapter 12.12 of the Temecula Municipal Code, Parades and Special Events on Public Property.

The temporary use permit allows for short-term activities or events that may be appropriate within the Old Town Specific Plan area when regulated. Temporary uses shall not exceed ninety days when not occupying a structure, (including promotional activities), or one year for all other uses occupying a structure, or for a shorter period of time as determined by the Director of Planning. Residential model home complexes are exempt from the time limitations.

2. Permitted Uses

Temporary uses in Old Town are divided into two general categories: major and minor. Major temporary uses have a potential to create health and safety problems, can occur on undeveloped property and/or outdoors, may create traffic and noise problems, and/or could potentially disrupt community life or surrounding businesses and residents. Minor temporary uses occur on developed commercial private property and/or indoors, and for very short time periods. Minor temporary uses produce little noise and/or traffic, and have no significant impacts on adjacent properties. Temporary Use Permits are limited to one permit per business per quarter for each calendar year, except as set forth in Section P of this Chapter.

a. Major Temporary Uses

The following major temporary uses may be permitted, subject to the review and approval a Major Temporary Use Permit:

i. Fairs, festivals, concerts, outdoor live entertainment, and similar activities when *not* held within a facility designed to accommodate such an event or use such as auditoriums, stadiums, or other public assembly facilities. Major Temporary Use Permits issued for the uses described above are subject to the following requirements:

- The number of Major Temporary Use Permits issued for fairs, festivals, concerts, outdoor live entertainment, and similar activities in Old Town may not exceed one per business for every quarter for each calendar year, except as set forth in Section P. Fairs, festivals, concerts, outdoor live entertainment, and similar activities shall not exceed two consecutive days in length.
- Major Temporary Use Permits issued for City Sponsored Signature Events and/or special events where the City is the applicant are not subject to the quarterly limit.
- Major Temporary Uses for fairs, festivals, concerts, outdoor live entertainment, and similar activities shall not be permitted in the Neighborhood Residential (NR) zoning district.
- See Section P of this Chapter for specific regulations pertaining to TUP's for Outdoor Live Entertainment.

ii. Real estate offices and model homes within approved development projects.

iii. On and off-site contractors' construction yards in conjunction with an approved active development project.

iv. Christmas tree sales lots. Such activity shall be only held from November 1st through December 31st.

v. Pumpkin sales lots.

b. Minor Temporary Uses

The following minor temporary uses may be permitted, subject to the review and approval of a Minor Temporary Use Permit.

i. Outdoor display and sales of merchandise within the Downtown Core and Residential/Limited Mixed-Use districts that exceed the regulations set forth in Section 17.10.020(K) of the Development Code. Outdoor display and sales of merchandise permitted with a Minor Temporary Use Permit shall not exceed sixteen days per calendar year per business or organization and are subject to the following requirements:

- Merchandise displayed or sold must be customarily sold on the premises by a permanently established business.
- The maximum number of consecutive days for any one event shall not exceed nine calendar days.
- Events exceeding five consecutive calendar days shall be fully enclosed in a tent so as to minimize any aesthetic impacts.
- Set-up and take-down of tents, lighting, fencing, merchandise and/or items for the event shall not be counted towards the allowable event days per calendar year, except that set-up shall not exceed one and one-half

III. ADMINISTRATION AND HISTORIC PRESERVATION

O. GENERAL PROVISIONS AND REGULATIONS

1. Effect of the Specific Plan

No person shall use any premises except as specifically permitted by and subject to the regulations of this Specific Plan. Except as otherwise permitted herein, whenever this Specific Plan prohibits the use of property for a particular purpose, those premises and any improvements on the premises shall not be used for that purpose, and no structure or improvement shall be constructed, altered or moved onto the premises which is designed, arranged, or intended to be occupied or used for that purpose.

2. Minimum Requirements of the Specific Plan

The provisions of this Specific Plan shall be interpreted and applied as the minimum requirements for the promotion of the public health, safety and general welfare. The Director of Planning shall interpret the Specific Plan based upon the policy directives of the City Council.

3. Severability

If any section, subsection, sentence, clause, phrase or portion of this Specific Plan, or future amendments or additions hereto, is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decisions shall not affect the validity of the remaining portions of this Specific Plan, or future amendments or additions hereto. The City hereby declares that it would have adopted these requirements and each sentence, subsection, clause, phrase, portions or any future amendments or additions hereto, irrespective of the fact that any one or more sections, subsections, clauses, phrases, portions or any future amendments or additions hereto may be declared invalid or unconstitutional.

P. TEMPORARY USE PERMITS FOR OUTDOOR LIVE ENTERTAINMENT

1. Intent and purpose.

The City Council desires increased outdoor live entertainment within Old Town. It is the intent and purpose of this section to serve as a pilot program of one (1) year in length, to allow Temporary Use Permits to include temporary outdoor live entertainment, a use previously limited to one per quarter. The expiration date of this pilot program shall be 8, August 2025, unless action is taken by Resolution of the City Council to amend, extend, terminate or make permanent these provisions.

The purpose of this Council directed policy is to allow for ancillary outdoor live entertainment in an experimental capacity and is not intended to be the primary use of any establishment.

The provisions, permitting process, forms, fees, and findings set forth in section N above for a Major TUP shall be followed, unless in conflict with this section in which case this section shall prevail.

Establishments that have and maintain in good order a Conditional Use Permit (CUP) that permits outdoor live entertainment are exempt from this section.

This section does not permit or authorize any permanent land use or entitlement and does not constitute a vested interest or right of any kind.

- i. All TUP's issued under this provision shall limit outdoor live entertainment between the hours of 10:00:00 am – 8:59:59 pm, every day of the week.
- ii. TUP's shall be limited in location, to include all aspects of the event, to a developed parcel

within the Downtown Core District as shown in Exhibit IV-1: Old Town Regulating Plan.

- iii. TUP's that intend to serve, sell, or provide alcohol shall obtain any and all required permits or licenses necessary for such alcohol.
- iv. Establishments permitted for indoor live entertainment shall be subject to these requirements if the establishment opens doors, windows or other means for the transmission of entertainment outdoors.
- v. TUP's issued under this provision shall be exempt from the requirements of "Note 9" on Table III-4: Approval Authority.
- vi. All TUP's issued under this section shall:
 - a. Prohibit percussion instruments;
 - b. Prohibit Disc Jockeys (DJ's) or similar entertainment from occurring; and
 - c. Prohibit speakers, and similar amplified sound emitting devices, from pointing outward towards neighboring parcels.
- vii. No TUP shall allow or provide outdoor live entertainment during Santa's Electric Light Parade, July 4th Parade or any other City sponsored parade in Old Town that closes any portion of Old Town Front Street.
- viii. All site plans provided for a TUP under this section shall include all audio equipment, speakers, stages, lighting, and all other aspects of the performance.
- ix. Video, streaming or any form of digital image or sound projection of performances shall not constitute live entertainment.
- x. All TUP's issued under this section, shall comply with Chapter 9.20 (Noise) of the Temecula Municipal Code.

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IV. LAND USE AND URBAN DEVELOPMENT STANDARDS

B. ESTABLISHMENT OF THE ZONING DISTRICTS

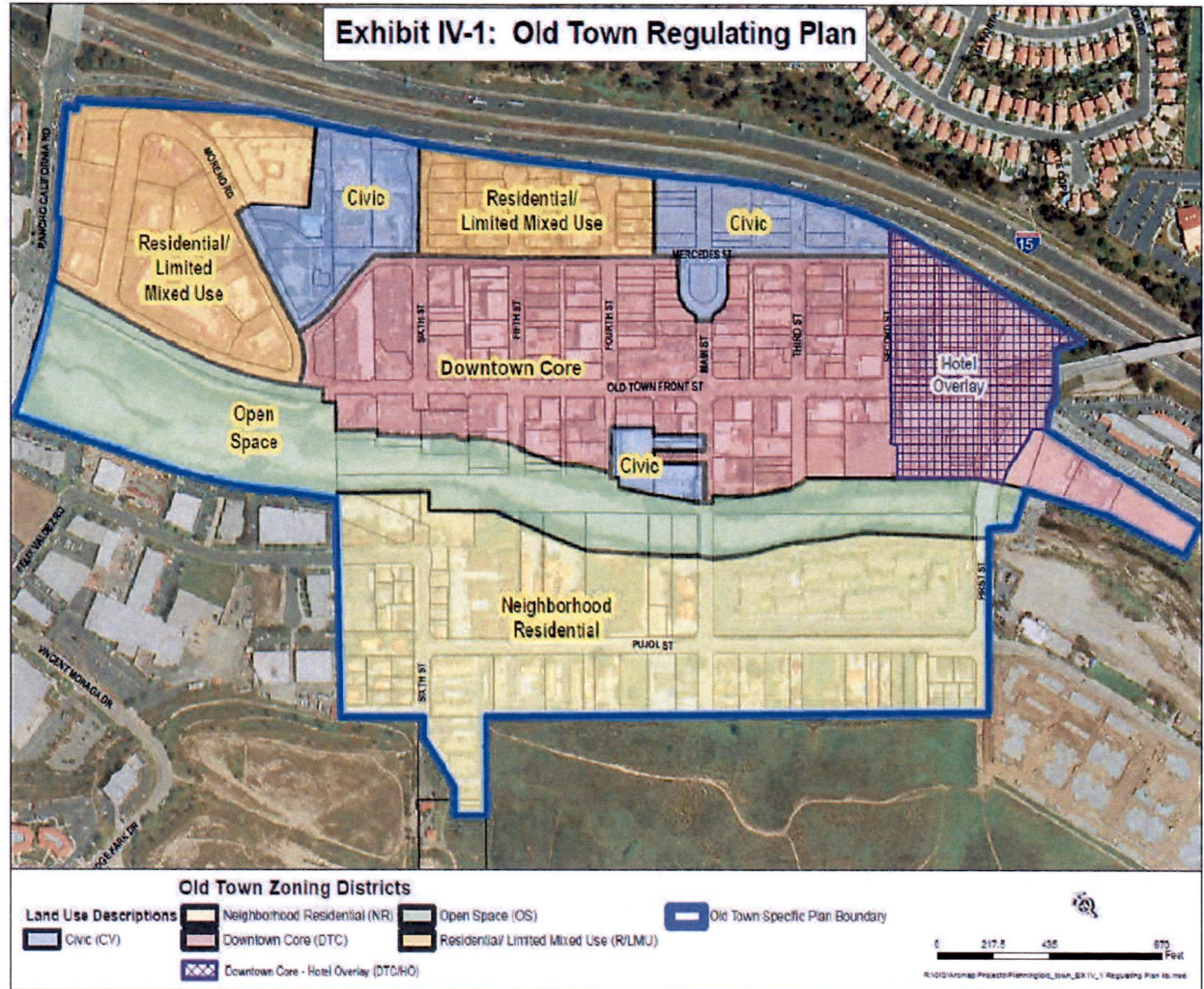
The following zones have been established within the Old Town Specific Plan area:

- Downtown Core District (DTC)
- Downtown Core/Hotel Overlay District (DTC/HO)
- Residential/Limited Mixed-Use District (R/LMU)
- Neighborhood Residential District (NR)
- Civic District (CV)
- Open Space (OS)

Each zone is identified as a spatial district as shown in Exhibit IV-1 Old Town Regulating Plan. Each zone shown in the Old Town Regulating Plan has different development regulations and standards for the physical building form and building placement that shall apply in the Old Town Specific Plan area.

1. Zoning District Boundaries

Where boundaries of the Zoning Districts appear to follow streets, the boundary shall follow the centerlines of said streets. Where boundaries appear to follow existing property lines, they shall follow said property lines and shall not bisect portions of existing lots of record which are in effect at the time of adoption of this Specific Plan. The boundaries of the Open Space Zoning District along the channel of Murrieta Creek, however, may bisect adjacent parcels.



IV. LAND USE AND URBAN DEVELOPMENT STANDARDS

TABLE IV-1: LAND USE MATRIX			
LIST OF USES	Residential-Limited Mixed-Use (R/LMU)	Downtown Core (DTC)/ Downtown Core-Hotel Overlay (DTC/HO)	Neighborhood Residential (NR)
Adult Entertainment Businesses	-	-	-
Alcoholic Beverage Sales	C ^{11,15}	C ^{11,15}	-
Art Studio with or without a gallery	P ¹	P ¹	-
Bar, Cocktail Lounge ¹⁵	C ¹	C	-
Beer Tasting Establishment ¹⁵	C ¹³	C ¹³	-
Bed and Breakfast	C	-	C
Community Care Facility (6 or Fewer)	-	-	P
Community Care Facility (7 to 14)	-	-	C
Day Care/Preschool	C ¹	C ²	-
Day Spa - (Full Service)	P ¹	P	-
Drive-thru Businesses (includes eating establishments and banks)	-	-	-
Escape Rooms	C	C	-
Farmers Market	C	C	-
Health and fitness, dance, martial arts studio	P ¹	P ²	-
Home Occupation	P	P	P
Cigar/Hookah Club (private membership only)	C	C	-
Hotel	P ³	P ⁴	-
Entertainment	See Municipal Code ^{5, 14}	See Municipal Code ^{5, 14}	-
Massage Facilities	-	-	-
Museum	-	P	-
Neighborhood market, grocery store	P ¹	P	-
Office-Administrative/Professional/Medical	P ¹²	P ²	-
Performing Arts	-	P	-
Personal Services	P ¹	P ²	-
Residential - Attached	P	P ⁶	P
Residential - Detached	-	-	P
Residential – Live/Work	C	C	C
Restaurant without Alcohol ^{9,11,15}	P ⁹	P ⁹	-
Restaurant with Beer and Wine ^{9,11,15}	P ⁹	P ⁹	-
Restaurant with Beer, Wine, and Distilled Spirits ^{9,11,15}	C	C	-
Restaurant with Entertainment (not including dancing) ^{9,11,15}	See Municipal Code ^{5, 14}	See Municipal Code ^{5, 14}	-
Restaurant with Entertainment and/or Dancing ^{9,11,15}	See Municipal Code ^{5, 14}	See Municipal Code ^{5, 14}	-

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Retail	P ¹	P ¹	-
Tattoo Studio	-	-	-
Trade/Educational Institution	P ¹	P ²	
Entertainment Establishment	-	P ^{1,14,15}	-
Wine Producing/Micro Brewery – (Type 02 ABC License only) ¹⁵	P ⁷	P ⁷	-
Wine Tasting Facility – (Type 02 ABC License only) ¹⁵	P ⁸	P ⁸	-
Wine Tasting Facility ¹⁵	C ¹⁰	C ¹⁰	-

Except hotel operations, business activities within the Residential/Limited Mixed-Use and Neighborhood Residential during the hours of 12:00 a.m. and 5:00 a.m. shall require a Conditional Use Permit.

Any use not explicitly stated above shall require a use determination by the Planning Commission.

P Use is permitted by right

C Use is permitted with a Conditional Use Permit

- Use is not permitted

1. Use is limited to ground floor only.
2. These uses are limited to either the second floor (or higher) or to locations that do not front upon or open directly onto either Old Town Front Street or Main Street.
3. This use is limited to locations that front Moreno Road. Full-service hotel uses with food service and conference facilities at heights greater than three stories but limited to eight stories may be considered under a Conditional Use Permit. Subject to the Supplemental Standards for hotels over 3 stories.
4. Full-service hotel uses with food service and conference facilities in the Downtown Core -Hotel Overlay (DTC/HO) are allowed eight stories. Subject to the Supplemental Standard and Special Use Standards in Section IV.G of this chapter, for hotels over three stories.
5. Outdoor entertainment is not permitted in Old Town. City sponsored signature events and/or events when the City is the applicant are exempt. Outdoor live entertainment may be considered for private businesses in Old Town with a Temporary Use Permit as appropriately conditioned, limited to one event per quarter per Section III.N.
6. Ground floor residential not permitted in the Downtown Core area along Old Town Front Street and Main Street.
7. Shall include a store front tasting room. Premises with or without the product sale for off-site consumption is limited to a Department of Alcoholic Beverage Control License Type 02 (Winery/Winegrower).
8. Premises with or without the product sale for off-site consumption is limited to the Department of Alcoholic Beverage Control License Type 02 (Winery/Winegrower).
9. Outdoor Dining or Sidewalk Cafes are permitted in conjunction with a restaurant subject to the review and approval of a Minor Modification or as approved with a Development Plan application.
10. Premises with or without the product sale for off-site consumption applying for any Department of Alcoholic Beverage Control License type other than a Type 02 (Winery/Winegrower).
11. Subject to Chapter 17.10 Supplemental Development Standards of the Development Code.
12. This use is permitted on either the ground floor or second floor.
13. Premises with or without the product sale for off-site consumption is limited to the Department of Alcoholic Beverage Control License Type 23 (Small Beer Manufacturing – Duplicate)
14. Subject to Municipal Code Section 9.10 (Entertainment License)
15. Subject to Municipal Code Section 17.09 (Alcohol), and limited to the Downtown Core District

IV. LAND USE AND URBAN DEVELOPMENT STANDARDS – DOWNTOWN CORE AND DOWNTOWN CORE/HOTEL OVERLAY DISTRICT

ix. Allowable Encroachments

The table below outlines the allowable encroachments between the build-to line and the property line and into the side and rear yard setbacks for buildings located in the Downtown Core and Downtown Core/Hotel Overlay district.

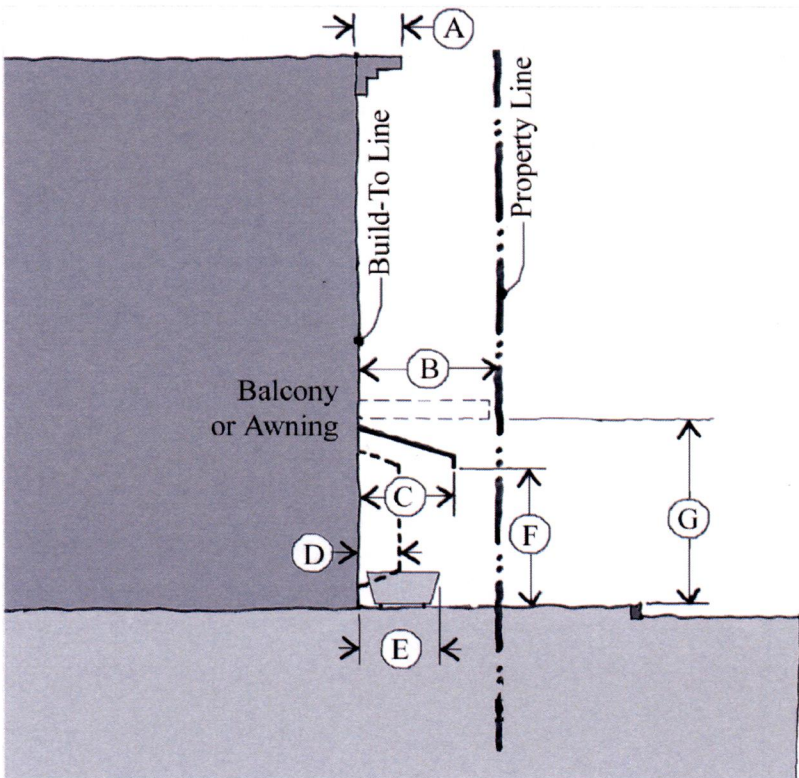


Figure IV-9: Allowable encroachments in the DTC and DTC/HO

**Table IV-11:
Allowable Encroachments in Downtown Core/Downtown Core Hotel Overlay District**

Building Element:	Over the build-to line (typical lot or lot with creek frontage):	Over the build-to line side street (corner lot):	Into Side/Rear Yard setback (with or without alley):
A. Architectural features such as cornices, eaves, overhangs, and other decorative building elements	5 feet maximum	5 feet maximum	0 feet
B. Balconies, patios or terraces (above first floor)	10 feet maximum	10 feet maximum	0 feet
C. Awning or Canopy	8 10 feet maximum	8 10 feet maximum	0 feet
D. Bay Window	2 feet maximum	2 feet maximum	0 feet
E. Urban accent landscaping –potted, or hanging plants, etc.	3 feet maximum	3 feet maximum	N/A

**Table IV-12:
Minimum Vertical Clearance in the Downtown Core and Downtown Core/Hotel Overlay District**

F. Awnings, canopies, and other architectural features such as building projections, eaves, overhangs, and other decorative building elements	8 feet minimum
G. Balconies or terraces (above first floor)	12 feet minimum

IV. LAND USE AND DEVELOPMENT STANDARDS

f. Street Tree Landscape Palette

In order to achieve an urban streetscape, the following tree species (listed below and shown on the Street Tree Map Exhibit IV-3) shall be required to be planted in Old Town. All street trees shall be 36" box size:

Old Town Front Street:

Liquid Amber (Liquidambar styraciflua 'Rotundiloba')
London Plane (Plantus x Acerifolia 'Bloodgood')

First Street (east of Old Town Front Street):

London Plane (Plantus x Acerifolia 'Bloodgood')

Second Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

Third Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

Fourth Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

Fifth Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

Sixth Street (east of Old Town Front Street):

London Plane (Plantus x Acerifolia 'Bloodgood')

Main Street east of Murrieta Creek:

London Plane (Plantus x Acerifolia 'Bloodgood')

Main Street west of Murrieta Creek:

London Plane (Plantus x Acerifolia 'Bloodgood')

Mercedes Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

Moreno Road:

London Plane (Plantus x Acerifolia 'Bloodgood')

Pujol Street:

London Plane (Plantus x Acerifolia 'Bloodgood')

First Street (west of Old Town Front Street):

London Plane (Plantus x Acerifolia 'Bloodgood')

Sixth Street (west of Old Town Front Street):

London Plane (Plantus x Acerifolia 'Bloodgood')

Felix Valdez:

London Plane (Plantus x Acerifolia 'Bloodgood')

Murrieta Creek Trail:

California Sycamore (Platanus Racemosa)



Figure IV-101: Liquid Amber

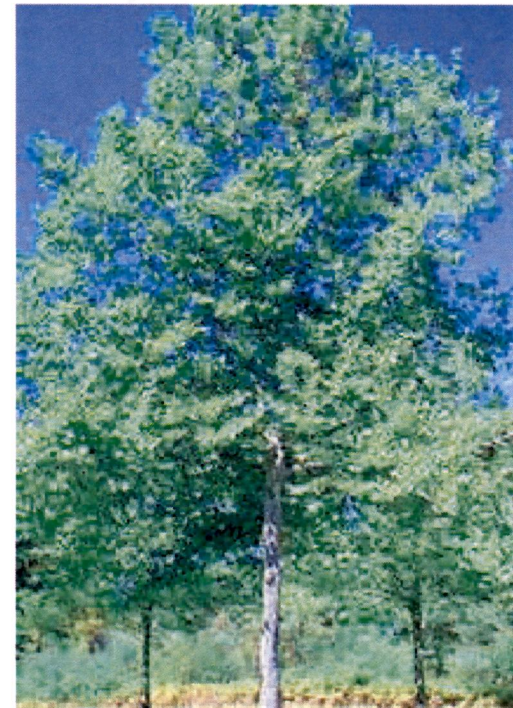


Figure IV-102: London Plane

IV. LAND USE AND DEVELOPMENT STANDARDS

6. Applicability

The regulations and criteria contained herein shall apply to all signage within the Downtown Core and Downtown Core/Hotel Overlay, and Residential/Limited Mixed-Use, and Civic Districts. The Neighborhood Residential district shall comply with the residential sign requirements contained in the Temecula Municipal Code using the Design Criteria contained in the Old Town Specific Plan. Photos contained in this chapter are intended to provide visual or illustrative examples and may not be representative of the actual allowable dimensions of sign area.

7. Permit Required

Unless specifically stated in these regulations, a sign permit is required prior to placing, erecting, moving, reconstructing, altering, or displaying any sign within the Specific Plan area. All signs are subject to the approval of the Director of Planning.

8. Sign Program

A Sign Program is required prior to obtaining a sign permit for new or existing developments that propose to erect or replace a permanent sign where any of the following circumstances exist:

- a. Whenever a building or center is greater than 100,000 square feet in total building area and has five or more permanent signs.
- b. Whenever the development contains a historic structure.
- c. Whenever a proposed permanent sign exceeds or cannot comply with the standards required by this chapter due to unique characteristics of the site or the unique characteristics of the building façade upon which the sign is placed.

9. Prohibitions

No person shall erect, re-erect, construct, enlarge, alter, move, improve, remove, convert, or equip any sign or sign structure or cause or permit the same to be done contrary to, or in violation of, the provisions of these sign regulations.

10. Prohibited Signs in Old Town

- Freestanding signs
- Roof mounted signs
- Animated, rotating, moving, emitting or flashing signs
- Balloon signs
- Iridescent materials or day-glow/fluorescent colors
- Ambient air balloons
- Internally illuminated channel letters signs
- Internally illuminated can or cabinet signs
- Front facing exposed bulbs
- Window signs above the second story (except when in compliance with Section IV.J.13.d).
- Paper, cloth, or plastic streamers or bunting- except holiday decorations (Acceptable during the hours of City Sponsored events only.)
- Formed plastic signs
- Paper signs affixed to the inside or outside of the façade or window

- Exposed raceways
- Traffic sign replicas
- Multiple repetitive signs or repetitive use of words or symbols as a sign element is not permitted except for a single band of letters on the inside of a glass storefront
- Any sign not permitted by this Specific Plan
- Any sign prohibited by the Development Code and not expressly permitted in this Specific Plan
- Signs within the public right-of-way, unless approved by the Public Works Director and the Planning Director.

11. Temporary Banners

Temporary Banner signs in the Downtown Core, Downtown Core/Hotel Overlay, Residential/Limited Use, Neighborhood Residential and Open Space shall be non-illuminated and shall comply with the Temecula Municipal Code, except the following:

- a. Temporary Banner signs shall not exceed 32 sq. ft.
- b. Neon colored or day glow signs are prohibited.
- c. Temporary Banner signs may be attached to banisters or other elements of the building or site.
- d. Temporary Banner signs in the Civic Zone are intended to benefit businesses within Old Town and the Community through special events that attract residents and tourists to Old Town and Temecula. Design and duration of temporary signage placed in the Civic District (CV) may vary or exceed the limitations of the other Districts as needed to support

IV. LAND USE AND DEVELOPMENT STANDARDS

community events, City sponsored signature events, or civic activities within Old Town.

12. Temporary Portable Sign

- a. One temporary portable sign (such as an A-frame or a movable pole sign) is allowed per business.
- b. Portable signs may encroach 4.3 feet into the “Frontage Zone” and shall be placed at the primary entryway of the business. A portable sign shall not extend within the public right-of-way or block the free movement of pedestrians.
- c. The size shall not exceed four feet high and three feet wide.
- d. A portable sign shall not be placed within the Pedestrian Zone.
- e. Portable signs shall not be illuminated or plastic. Portable signs shall be constructed of high quality, durable materials, subject to the review and approval of the Director of Planning.
- f. A portable sign is intended for daily restaurant or store specials and shall be entirely removed and placed inside the building during non-business hours.
- g. No permit is required for portable signs that comply with these provisions.



Figure IV-113 a,b: Example of a portable sign.

13. Sign Placement

- a. Except as provided below, signs shall be placed on the building facade above the primary public entrance for the business.
- b. Tenant wall signs shall be placed no higher than the lowest of the following points on the building facade:
 - i. 25 feet above grade
 - ii. Bottom of the sill line of the second floor windows
 - iii. Cornice line/signage band on the first floor of the building
- c. Signs shall be placed in harmony with the architecture and façade of the building.
- d. The following signs may be located above the first floor, provided they are not internally illuminated:
 - i. Building Name Signs that are painted, etched, or applied directly to the wall with three dimensional channel cut letters not to project more than 2 inches from the surface.
 - ii. Window Signs (gold leaf and/or black colored); however, not above the second floor and only one window per frontage per business.
 - iii. Signs on public buildings located within the Civic Overlay.
 - iv. Non-illuminated tenant signs shall be permitted on the second or third story (not above third floor) when the primary entrance of the business is located on the second or third floor and the primary business entrance door is external to the building accessed only by an external balcony or walkway via an external elevator/stairway or courtyard. Signs shall be placed at business frontage only.

- v. When a business or tenant occupies more than 50 percent of the total gross building area the tenant or business may have a sign on the third or fourth story of the building.



Figure IV-114a:
Example of inappropriate sign placement. Sign placement ignores the architectural scale of the façade and obscures the horizontal and vertical elements of the building.

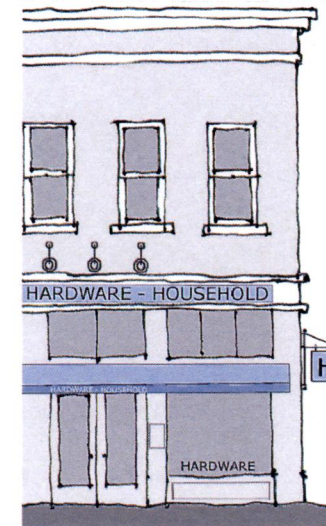


Figure IV114b:
Example of appropriate sign placement that respects the architectural scale of the façade. The signage fits entirely within the horizontal and vertical elements of the building.