



CITY OF TEMECULA

PLANNING DIVISION

41000 Main Street 951-694-6400

Temecula, CA 92590 TemeculaCA.gov/planning

PUBLIC CONVENIENCE OR NECESSITY (PC OR N)

Introduction

This handout summarizes Temecula’s Public Convenience and Necessity (PC or N) procedures.

Who has jurisdiction over a PC or N?

JURISDICTION	LICENSE TYPES
California Department of Alcoholic Beverage Control (ABC)	On-Sale <ul style="list-style-type: none"> • Restaurants (bond fide eating establishments) • Lodging-based licenses • Non-retail licenses
City of Temecula	Off-Sale <ul style="list-style-type: none"> • Liquor stores • Convenience stores • Bars

If your license requires a PC or N to be handled by the California Department of Alcoholic Beverage Control (ABC) you will not need to submit this application to the City of Temecula. ABC will require a separate PC or N application to be filed. Visit abc.ca.gov for more information.

What is the purpose of a PC or N review?

A PC or N provides the City with the means to review proposals for alcohol licenses located within an area of “undue concentration.”

When is a Certificate of PC or N required?

Once the ABC has determined that a specific location is in an area of “undue concentration” for alcohol licenses, the City of Temecula must make findings for a PC or N. State law defines “undue concentration” in an area if either of the following conditions exists:

- (1) the proposed site is located in a district where there is a 20 percent greater number of reported crimes than the average number of reported crimes as determined from all crime reporting districts within the jurisdiction of the local law enforcement agency; or
- (2) the ratio of off-sale/on-sale retail licenses to population in the census tract or census division in which the applicant’s premises is located exceeds the ratio of off-sale/on-sale to population in the county in which the applicant’s premises is located.

What other types of applications may be required?

If a valid Conditional Use Permit (CUP) does not exist for the subject property, an application for a Conditional Use Permit shall be processed concurrently. Please consult with the Community Development’s Planner of the Day (P.O.D.) prior to scheduling a submittal meeting to ensure that a valid Conditional Use Permit is in place.

How do I apply for PC or N review?

Call (951) 694-6400 and ask to speak with the Planner of the Day (P.O.D.) to schedule a submittal appointment. The planner assigned to your case will meet with you within 1 to 2 working days to review your application materials for completeness. Incomplete applications cannot be accepted.

What are the criteria for approval?

- a. Whether or not the proposed use is consistent with the general plan and development code;
- b. Whether or not the proposed use is compatible with the nature, condition and character of adjacent land uses;
- c. Whether or not the proposed use would have an adverse effect on adjacent land uses;
- d. Whether or not the proposed use would result in an excessive number of similar establishments in close proximity.



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**PUBLIC CONVENIENCE
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INITIAL SUBMITTAL CHECKLIST

APPLICANT ✓	STAFF ✓	PC OR N	SECTION	REQUIRED ITEMS
				Detailed instructions for each section can be found in this packet. Incomplete applications will not be accepted. Use this checklist to ensure all documentation is provided upon submittal.
		# OF COPIES		
		1	A	Complete/signed application and filing fee
		1	B	A digital copy of all project files in PDF format or JPEG/PNG format (CD or USB)
		4	C	Statement of Operations
		4	D	Statement of Justification Questionnaire
		4	E	Floor Plan
		4	F	Site Plan (consult with Planning to determine if this will be required)
		1	G	California ABC Form 245 (obtained from ABC)
		1	H	Developer Disclosure Statement

BEFORE SUBMITTING PLEASE REMEMBER

Fees:

Fees will be required to submit your application. Visit TemeculaCA.gov/fees for fee information. Please contact a Planner at 951-694-6400 with any fee related questions. We suggest that you bring an additional check in-case your scope of work requires additional fees. Additional fees may be required while your application is being processed (for outside agencies, additional permitting requirements, etc).

Appointment:

Prior to your submittal, please contact the Community Development Department's Planner of the Day (P.O.D.) to schedule an appointment at 951-694-6400.



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PUBLIC CONVENIENCE OR NECESSITY (PC OR N)

APPLICANT ✓	STAFF ✓	PC OR N	SECTION	<div data-bbox="911 254 1024 369" style="text-align: center;"> </div> <p>The following items will be required prior to the public hearing (if applicable). These items are <u>not required for the initial submittal.</u></p>
		# OF COPIES		
		1	X1	Public Hearing Information (see Section X1)



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**PUBLIC CONVENIENCE
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SECTION A PC OR N APPLICATION

PROJECT INFORMATION

Name of Business

Street Address (and Suite #)

Assessor's Parcel No(s)

ADDITIONAL PROJECT INFORMATION

ABC License Type(s)

Census Tract

Zoning

General Plan

Please list (name and address) any religious institutions, educational institutions, day care centers or parks located within 600' of your proposed location.

APPLICATION CONTINUED ON NEXT PAGE →

FOR STAFF USE

PLANNING APP. NO.

DATE STAMP

REC'D BY

APPLICANT/REPRESENTATIVE

First Name		Middle Name	Last
Street Address			
City	State	Zip	Phone
E-mail			

PROPERTY OWNER

First Name		Middle Name	Last
Street Address			
City	State	Zip	Phone
E-mail			

SIGNATURES AND CERTIFICATIONS

I certify that all filing requirements have been satisfied for my application. I further understand that an incomplete application cannot be accepted for processing.

Applicant's Signature →	Date
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I certify under the penalty of the laws of the State of California that I am the property owner of the property that is the subject matter of this application and I am authorizing to and hereby do consent to the filing of this application and acknowledge that the final approval by the City of Temecula, if any, may result in restrictions, limitations and construction obligations being imposed on this real property.

Owner's First Name (Printed)	Owner's Last Name
Owner/Authorized Agent Signature →	Date

NOTE

Written authorization from the legal property owner is required. An authorized agent for the owner must attach a notarized letter of authorization from the legal property owner.

Multiple parcels will require authorization from each property owner.

SECTION B**DIGITAL COPY**

Provide a digital copy (PDF) of all project files. All PDF files must follow the below requirements:

- Unlocked & unencrypted PDF format

SECTION C**STATEMENT OF OPERATIONS**

Provide a **typed** Statement of Operations outlining your proposed business the Statement of Operations shall include:

- Title the Statement of Operations, "Section C: Statement of Operations"
- Include a date on the Statement of Operations
- A detailed description of the proposed business operations
- Hours and days of operation
- Number of employees
- Proposed private security (if required)
- Estimated number of customers
- Total number of parking spaces
- Indicate if food will be served
- Indicate what type of alcohol will be served and what ABC license you are applying for
- Indicate if live entertainment will be provided

SECTION D**STATEMENT OF JUSTIFICATION**

Provide **typed** justification outlining your request for a Conditional Use Permit.

- Provide a title labeled "Section D: Statement of Justification"
- Include a date on the Statement of Justification

This justification must answer the following questions. Please provide a thorough explanation of your responses. Provide written justification outlining your request for approval of findings for public convenience and necessity. Describe how your business use, including the sale of alcoholic beverages, promotes and satisfies the goals and policies of the City of Temecula General Plan and applicable Specific Plan.

1. Does the proposed establishment have any unique features, which are not found in other similar uses in the community (i.e. types of games, types of food, and other special services)?
2. Does the proposed establishment cater to an under-served population (i.e. patrons of a different socio-economic class)?
3. Would the proposed mode of operation of the proposed establishment (i.e. sales in conjunction with gasoline sales, tours, etc.) be unique or differ from that of other establishments in the area?
4. Are there any geographical boundaries (i.e. rivers, hillsides) or traffic barriers (i.e. freeways, major roads, major intersections) separating the proposed establishment from other establishments?
5. Is the proposed establishment located in an area where there is a significant influx of population during certain seasonal periods?
6. Is there a proliferation of licensed establishments within the Census Tract of the proposed establishment?
7. Are there any sensitive uses (i.e., schools, parks, hospitals, churches) in close proximity (500 feet) to the proposed establishment?
8. Would the proposed establishment interfere with these sensitive uses?
9. Would the proposed establishment interfere with the quiet enjoyment of their property by the residents of the area?
10. Will the proposed establishment add to law enforcement problems in the area?

SECTION E**FLOOR PLAN**

Scale: The scale used on the floor plans shall be no less than 1/4" per foot. Plans must be fully dimensioned. Large projects shall be no less than 1/8" per foot with 1/4" per foot details). The Floor plans shall illustrate all proposed (and existing, if applicable) buildings and structures. The following information shall be included on the plans:

- Proposed use for each room
- Proposed square footage for each room
- Clearly label, dimension and identify:
 - Restrooms
 - Exits
 - Doors
 - Hallways
 - Corridors
 - Elevators
 - Patio
 - Stairs
 - Fire sprinkler riser room
 - Fire alarm control panel
 - Location of Knox Box
 - Location of Fire Department connection

SECTION F**SITE PLAN (IF REQUIRED)**

Scale: Engineering scale not to exceed 1"=40'.

The following information shall be included on the plan:

- Name, address, and phone and fax number of applicant, owner, architect and/or engineer.
- Graphic scale (with bar scale) and north arrow
- Vicinity map
- Date Site Plan prepared
- Data table formatted in the following order:

<input type="checkbox"/>	Assessors Parcel Number		
<input type="checkbox"/>	Street Address (if available)		
<input type="checkbox"/>	Legal description of the property. (i.e. Tract / Parcel Map and Lot(s)/parcel(s)		
<input type="checkbox"/>	Zoning designation		
<input type="checkbox"/>	General Plan designation		
<input type="checkbox"/>	Existing land use/proposed land use		
<input type="checkbox"/>	Total Gross Area:	square feet	acres
<input type="checkbox"/>	Total Net Area:	square feet	acres
<input type="checkbox"/>	Total Building Area:	square feet	FAR
<input type="checkbox"/>	Lot coverage:	<u>Square</u>	<u>Feet</u>
		<u>Percentage</u>	
<input type="checkbox"/>	○ Building area	s.f.	%
<input type="checkbox"/>	○ Parking area	s.f.	%
<input type="checkbox"/>	○ Landscaping area	s.f.	%
<input type="checkbox"/>	Parking:	<u>Spaces Required</u>	<u>Spaces Provided</u>
<input type="checkbox"/>	○ Ratio/square foot of use(s)	spaces	spaces
<input type="checkbox"/>	○ Number of disabled spaces	spaces	spaces
<input type="checkbox"/>	○ Total Parking	spaces	spaces
<input type="checkbox"/>	Floor Area Ratio		
<input type="checkbox"/>	Occupancy classification (per Uniform Building Code)		
<input type="checkbox"/>	Type of construction (per Uniform Building Code)		
<input type="checkbox"/>	Indicate if building has fire sprinklers and/or alarm		
<input type="checkbox"/>	Number of stories		
<input type="checkbox"/>	Height of building (as measured from the pre-existing grade, finished grade or floor protection elevation, which ever is lowest to highest point on roof)		

- Existing property lines in bold and label all dimensions (metes and bounds)
- Location and dimensions of all existing and proposed easements (with record reference)
- Proposed lot lines and dimensions, if applicable

- Delineate and label the minimum setbacks from all property lines
- Location and dimension of all existing and proposed structures, including building setbacks
- Location and dimension of all landscaping and pedestrian walkways (shaded)
- Location and typical dimension of drive aisles, loading zones and parking stalls
- Location of existing and proposed onsite fuel tanks
- Location and dimension of all trash enclosure(s)
- Location of monument sign(s) (existing and proposed)
- All proposed public improvements, including cross sections
- Location of existing or proposed fire hydrants within 500 feet of project site
- Location of existing or proposed Fire Department connections (within 50 feet of a public hydrant and 40 feet away from the building)
- Location of existing or proposed Post Indicator Valve
- Label interior and exterior turning radius dimensions at entries and drive aisles for emergency vehicle access (minimum interior – 37 feet; exterior – 56 feet; wheel cuts – 50 feet)
- Location and dimension of all walls and fences
- Location of all structures, driveways, parking areas, trees and adjoining property lines within 50 feet of the perimeter of the subject property
- Zoning and existing land use of adjacent parcels
- Phasing of the project (if proposed)
- Americans with Disabilities Act (ADA) path of travel (horizontal path of travel only)
- Location, type and height of all existing and proposed street, parking and pedestrian lights (Indicate any to be relocated)

SECTION G	CALIFORNIA ABC 245
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Provide a copy ABC 245 from the California Department of Alcoholic Beverage Control.

SECTION H	DEVELOPER DISCLOSURE STATEMENT
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Provide a completed Developer Disclosure Statement. The Developer Disclosure Statement can be found on the next page.

CITY OF TEMECULA
DEVELOPMENT APPLICATION
DEVELOPER DISCLOSURE STATEMENT

This portion of the Application must be fully completed and signed by the Applicant. If not fully completed and signed, the Application will be deemed incomplete. Additionally, this portion of the Application must be fully completed and signed by the Applicant and filed with the Planning Department again not less than five nor more than ten days prior to the hearing before the Planning Commission and not less than five nor more than ten days prior to the hearing before the City Council, if any.

1. Address of subject property: _____
2. Cross street: _____
3. Date this Disclosure Statement is completed: _____
4. Name of Applicant: _____

A. If Applicant is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Applicant is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Applicant is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and

address of controlling shareholder

7) Name and address of agent for service of process

5. Name of each Owner of the subject property: _____

A. If Owner is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Owner is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Owner is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

6. If the subject property is in escrow to be conveyed to another party or is the subject of a purchase and sale agreement, state the name of each person in escrow to purchase the subject property or a party to the purchase and sale agreement ("Party in Escrow"): _____

A. If the Party in Escrow is a limited liability company ("LLC"), please state:

- 1) Full name of LLC
- 2) Address of LLC
- 3) State of registration
- 4) Name and address of managing member(s)
- 5) Name and address of agent for service of process

B. If Party in Escrow is a partnership, please state:

- 1) Full name of partnership
- 2) Address of partnership
- 3) State of registration
- 4) Name and address of general partners
- 5) Name and address of agent for service of process

C. If Party in Escrow is a corporation, please state:

- 1) Full name of corporation
- 2) Address of corporation
- 3) State of incorporation
- 4) Name and address of officers of corporation
- 5) Name and address of shareholder with fifty percent (50%) or more of the shares of the corporation, if any
- 6) If no shareholder has fifty percent (50%) or more of the corporation's share, name and address of controlling shareholder
- 7) Name and address of agent for service of process

7. For any deeds of trust or other liens on the property (other than real property tax liens) please state the following:

A. Name of beneficiary of the deed of trust or lien

B. Date of the deed of trust or lien.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
Executed on the date and location set forth below

Name:
Title:
Date of signing:
Location of Signing: () Temecula or () Other

NOTE: The following will be required prior to the public hearing but is not required for the initial submittal.

The following information may be obtained by requesting a "Radius Package" from a title insurance company.

The following items will be required prior to scheduling the application for public hearing:

1. **TWO** identical packages to be inserted in separate 9 1/2" x 12 1/2" manila envelopes. These envelopes shall indicate the case number and the word "labels," and shall contain the following:

a. One typed set of gummed labels (**30 labels per sheet**) indicating all the property owners' names and the mailing addresses that are within a 600-foot radius of the exterior of the proposed tract boundaries (this list shall be ascertained from the last equalized assessment roll). The Planning Application Number shall be located on all label sheets.

***A minimum of the 30 nearest individual property owners (persons owning multiple properties shall only be counted once) shall be provided. Applicant is responsible for crossing out all duplicate labels.**

b. A photocopy of the aforementioned labels.

c. One label for the representative/engineer.

d. One label for the owner.

2. Four typed sets of gummed labels of the owner, engineer, and representative with their mailing addresses. Do not include duplicate sets where representative and owner, etc., are the same. These should be inserted in a letter-sized envelope and stapled to the outside of one of the large manila envelopes mentioned in item 1 above.

3. Certification by the Title Company, engineer, or surveyor that the above list is complete and accurate. The Tax Assessor's Office will not prepare or certify the property owner list (see certification form attached).

4. On a copy of your assessor's parcel map show all the parcels within the noticing radius. On the map, print the names of all property owners within the noticing radius as they are listed on the gummed labels.