



CITY OF MURRIETA

Development Services Department

Planning Division

1 Town Square | Murrieta, CA 92562

951-461-6061

City Staff Use Only

Case #: _____

Date Received: _____

ADMINISTRATIVE USE PERMIT APPLICATION (DS-218)

Alcoholic Beverage Sales and Public Convenience or Necessity (PCN)

USES ELIGIBLE FOR THE ADMINISTRATIVE USE PERMIT (check all that apply)

- ☐ Amusement Center ☐ Bowling Alley ☐ Conference Center ☐ Day Spa / Salon ☐ Delicatessen ☐ Florist
☐ Grocery, Drug, Discount & Variety Stores ☐ Hotel - Motel ☐ Internet & Mail Order ☐ Restaurants

Business Name: _____ Business Hours: _____

Business Address: _____

ABC License Type(s): (select one) ☐ 20 / ☐ 21 / ☐ 40 / ☐ 41 / ☐ 42 / ☐ 47 / ☐ 48 Other: _____

Local Agency PCN Required (BPC 23958.4)? ☐ Yes ☐ No (select one) Type of Business:¹ _____

Total Business Floor Area:² _____ Total Floor Area for Alcohol Storage and Display/Sales Area:² _____

¹ On separate paper provide a written statement of business operation related to alcohol sales.

² Provide a floor plan showing the areas devoted to alcohol storage and display, or service area.

APPLICANT CONTACT INFORMATION

Contact Name : _____

Company Name: _____

Daytime Phone No: _____

Mailing Address: _____

Email Address: _____

City Of Murrieta Municipal Code Section 16.44.030 D

BASIC USE REGULATIONS APPLICABLE TO ALL ALCOHOL BEVERAGE USES

The following use regulations (1 through 14) apply to all alcoholic beverage sales uses and shall be in addition to any State law requirements. If any regulation listed in this Section is inconsistent with a regulation in Section 16.44.030 E for a specific type of use, the more restrictive provision shall apply.

- Graffiti.** Within 48 hours of any graffiti being painted or marked upon the premises or on any adjacent area under the control of the permittee, the permittee shall report the graffiti to the Murrieta Police Department and remove or paint over the graffiti.
- Ads & Signs.** 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.
- Displays.** 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



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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.

4. **Outdoor Lighting.** The permittee shall provide nighttime lighting of the building exterior. The lighting shall be of sufficient illumination so as to enable law enforcement personnel to identify a person.
5. **Litter.** The permittee 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.
6. **Alcohol Sale Hours.** The sale of alcoholic beverages shall be permitted only between the hours of 6:00 AM and 12:00 midnight each day or as approved through a minor conditional use permit or a conditional use permit.
7. **Smoking Ordinance.** The requirements of Murrieta Municipal Code Chapter 5.23 regarding smoking shall be complied with at all times.
8. **State License Conditions.** Prior to City approval on any ABC Zoning Affidavit, the applicant shall submit to the City a signed letter addressed to the ABC stipulating to include the appropriate City of Murrieta conditions in the ABC license.
9. **Loitering.** Loitering is prohibited on or around the premises. "No Loitering" signs (size and location to be determined by the City) are required.
10. **Minimum Employee Age.** In accordance 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. Employees within premises that sell alcohol and motor vehicle fuel must be 21 for sales between 10:00 PM and close.
11. **Employee Behavior.** No employee or agent shall solicit or accept any alcoholic or non-alcoholic beverage from any customer while on the premises.
12. **Open Containers or Drinking Not Allowed.** No alcoholic beverages shall be consumed on the premises of an off-sale establishment, and no alcoholic beverages shall be consumed outside the edifice of an on-sale establishment. "No Open Containers" signs (size and location to be determined by the City) are required to be posted if open containers are found by the Police Department to be a chronic problem.
13. **ABC Training.** The owner and management of each alcoholic beverage use 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.
14. **Records.** The permittee shall at all times maintain records that 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.

In addition to the regulations applicable to all alcoholic beverage sales uses listed above, the supplemental regulations listed below shall apply to the specified uses:

Development Code Section 16.44.030 E. (The next number below coincides with the Development Code Section reference)

5. Grocery Stores, Variety Stores, Discount Stores, and Drug Stores.

- a. The gross floor area of the establishment shall be a minimum of 7,000 square feet, and no more than 15% of the gross floor area shall be used for the storage and display of alcoholic beverages.
- b. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- c. The sale of beer or malt beverages in containers larger than 16 oz. is prohibited.
- d. The sale of miniature-sized distilled spirits is not allowed.
- e. No displays of beer, wine, or other alcoholic beverages shall be located within ten (10) feet of any building entrance or check-out counter.



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6. Delicatessens.

- a. Self-service of alcohol is prohibited; including refrigerated coolers and buckets of drinks in ice available to the customer.

7. Restaurants.

- a. The sale of alcoholic beverages for off-premises consumption is prohibited.
- b. No reduced price or no cost alcoholic beverage promotion shall be allowed after 8:00 P.M. each day.
- c. There shall be no requirement to purchase a minimum number of drinks in-lieu of an admission or cover charge.
- d. Self-service of alcohol is prohibited; including refrigerated coolers and buckets of drinks in ice available to the customer.

8. Amusement Centers; Bowling Alleys; Conference Centers; Day Spa / Salon; Hotels & Motels.

- a. The sale of alcoholic beverages for off-premises consumption is prohibited.
- b. No reduced price or no cost alcoholic beverage promotion shall be allowed after 8:00 P.M. each day.
- c. There shall be no requirement to purchase a minimum number of drinks in lieu of an admission or cover charge.
- d. Self-service of alcohol is prohibited; including refrigerated coolers and buckets of drinks in ice available to the customer

9. Florist.

- a. No wine shall be sold with an alcoholic content of greater than 15% by volume except for "Dinner Wines" which have been aged two years or more and maintained in corked bottles.
- b. All alcoholic beverages shall be sold only as part of a gift package or floral arrangement.
- c. Refrigerated or otherwise chilled alcoholic beverages shall not be sold or maintained on the permitted premises, except for alcoholic beverages sold in combination with non-alcoholic beverage commodities and packaged in gift containers requiring refrigeration for the preservation of said commodities.

10. Internet and Mail Order Sales.

- a. The storage, distribution, and/or shipping of alcoholic beverages shall only be carried out from a location with a zoning designation that allows such activity.
- b. Property zoned for residential use shall not be used for the storage, distribution, and/or shipping of alcoholic beverages but may be used for sales and office activities related to the business.



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BUSINESS OWNER'S DECLARATION

By my signature below, I acknowledge that I am the business owner (ABC applicant) for a license from the Department of Alcoholic Beverage Control and that the license type, business type and business address provided in this application are correct and accurate. I further acknowledge that I have reviewed and will comply with all regulations and conditions set forth in Section 16.44.030 D, and the applicable provisions of Section 16.44.030 E, of the City of Murrieta Municipal Code. Accordingly, I request by my signature that the California Department of Alcoholic Beverage Control (ABC) include all appropriate City of Murrieta conditions be included in the ABC license for as long as said license is valid.

It is also understood that failure to comply with any of the regulations or conditions set forth in the City of Murrieta Municipal Code, or failure to take immediate corrective action to be compliant, may result in the suspension or revocation of any and all approvals and/or licenses for the sale of alcoholic beverages.

Business Owner's Signature: _____ **Date:** _____

Print Name: _____ **Phone Number:** _____

Address: _____

Email Address: _____

CITY STAFF USE ONLY

Date Submitted: _____ **Fee Paid:** _____ **Case #:** _____

PCN Required (BPC 23958.4): Yes No (circle one) **Police PCN Recommendation:** Approval Denial N/A (circle one)

PCN Decision: Approved Denied N/A (circle one)

By approving a PCN it is hereby acknowledged that the findings for Public Convenience or Necessity have been made in accordance with Development Code Section 16.44.030.F.

Conditions: The administrative use permit for alcohol sales for a (use type) _____
_____ located at _____
as described in the statement of business operation and the floor plan shall be subject to the requirements of Section 16.44.030 D (1-14) and Section 16.44.030 E # _____ (above).

This approval is based on the type of use being appropriate for administrative review pursuant to Section 16.44.030 of the MMC and the applicant's acknowledgment and agreement to the basic and supplemental alcoholic beverage sales regulations provided on this permit.

Additional PCN Conditions:

Decision: Approved Denied (circle one) **Decision Date:** _____

Approved By: _____
Name Title