

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

303B



**FROM:** TLMA - Planning Department

**SUBMITTAL DATE:**  
August 30, 2007

**SUBJECT:** Alcoholic Beverage Control License  
Determination of Public Convenience and Necessity (PNC-56)

**CONTROVERSIAL ISSUES:** NONE

**RECOMMENDED MOTION:** That the Board of Supervisors, based on the findings below, make a determination of Public Convenience and Necessity so that another Alcoholic Beverage license be issued to allow the sale of beer and wine for off-site consumption only, southerly of Rancho California Road, at Camino De Oscar, Riverside County Assessor's Parcel Number: 951-020-007 in the Third Supervisorial District.

**BACKGROUND:** In accordance with Government Code 23958.4 the State of California Department of Alcoholic Beverage Control (ABC) may deny an application for an ABC license if there is an "undue concentration of licenses." An "undue concentration" exists if it is deemed to be in a census tract where the ratio of on-sale or off-sale retail ABC licenses to population exceeds the ratio of on-sale or off-sale retail ABC licenses to population in the county in which the applicant premises are located. A license may still be issued, however, if the local agency determines that the public use and necessity would be served by issuance of the license. The statute provides no definition or standard for determining "public necessity & convenience." The Alcoholic Beverage Control Board has determined that an "undue concentration" exists for the Census Tract in which the applicant's establishment is located. A "public convenience and necessity" determination is required for the updating of the ABC license for Thorton Winery, southerly of Rancho California Road, at Camino De Oscar, Riverside County Assessor's Parcel Number: 951-020-007 in the Third Supervisorial District. The State Department of Alcoholic Beverage Control is requiring the applicant to obtain a determination of "Public Convenience and Necessity" from the County of Riverside prior to granting the license pursuant to

Damian Meins  
Assistant Planning Director

*[Signature]*  
Ron Goldman  
Planning Director

RG:jh

REVIEWED BY EXECUTIVE OFFICE

DATE 9/20/07  
Tina Grande

Departmental Concurrence

Policy

Consent

Dept's Recomm.:  
Per Exec. Ofc.:

Prev. Agn. Ref.

District: Third

Agenda Number:

3.64

Government Code Section 23958.4.8.

**FINDINGS:**

1. The issuance of a new ABC license on the property will not require additional Planning Department approvals because an approved Plot Plan (PP09027).
2. The sale of alcoholic beverages for off-premises consumption and wine sampling is permitted within the Citrus Vineyard (C/V) zoning provided a plot plan has been approved pursuant to **Section 18.30** of **ORD. 348**.
3. A radius map buffering 1,000 feet from the subject site was prepared by Riverside County Geographic Information Systems and concluded that no public elementary school, secondary school district or any public entity operating a public park or playground is within 1,000 feet of the site.
4. The project is not situated in such a manner that vehicle traffic from the facility may reasonably be believed to be a potential hazard to a school, church, public park or playground.
5. The State Department of Alcoholic Beverage Control is requesting a determination of "public necessity and convenience" for the new license.