

CITY OF BRISBANE

DETERMINATION OF PUBLIC CONVENIENCE OR NECESSITY (PCN) FOR ISSUANCE OF AN ALCOHOL BEVERAGE CONTROL LICENSE APPLICATION CHECKLIST

SUBMITTAL REQUIREMENTS. For the Community Development Director or Planning Commission to thoroughly review your proposal, certain information is required from you, the applicant. You should be aware that incomplete applications will not be considered by the Community Development Director or placed on the Planning Commission's agenda.

➤ **ELECTRONIC SUBMITTAL REQUIRED:**

- Please submit all required items as PDF, Microsoft Office (Word, Excel, etc.), or JPG/TIF/PNG file types, as appropriate to the items listed below. You may compress or archive multiple file types into a single folder and upload the compressed (zipped) folder to our [electronic planning application](#). (Max 125 MB per file or folder.)
- Development plans MUST be submitted in PDF format;** CAD or other drafting file types will not be accepted. Development plan pages must be contained in one single PDF file; PDF files of individual plan pages will not be accepted. Please see the [Plan Preparation Guidelines](#) for digital file submittal standards.

ALL PCN DETERMINATION APPLICATIONS:

The following information and documents are required for all PCN determination applications, unless specifically waived by staff:

- APPLICATION – A completed electronic planning application. Applications may be electronically signed and may require a [Property Owner Authorization Form](#).
- APPLICATION FEE – Refer to the line P64 of the [Master Fee Schedule](#). Fee may be paid by Visa or MasterCard (please note 2% additional processing fee), or by check.

Note: Planning fees are non-refundable.

- SUPPORTING MATERIALS – The below documents and plans must be electronically submitted with any use permit application.
 - DEVELOPMENT PLANS – The below-listed development plans prepared in accordance with the Community Development Department's plan preparation guidelines:
 - Site Plan
 - Floor Plans
 - SUPPORTING STATEMENTS - A written statement of findings from Attachment A of this checklist.

- ABC LIQUOR LICENSE APPLICATION** – A copy of the Department of Alcoholic Beverage Control Application and documentation from the ABC indicating that a PCN determination is required from the City.

CODE REFERENCES. Please refer to Brisbane Municipal Code Chapter [5.70](#) for the circumstances under which a PCN determination may be granted.

NOTIFICATION OF MEETINGS AND HEARINGS. For PCN applications associated with a discretionary land use permit subject to approval by the Planning Commission, applicants must attend all hearings to present their case and respond to any questions or comments. The project planner will notify you of the date of the public hearing via the notice of public hearing, and will provide the meeting agenda and a copy of the agenda report the Friday before the scheduled hearing. Copies of the agenda and agenda report are also available at the Planning Department and on the City’s website, www.brisbaneca.org by noon on the Friday before the scheduled hearing. Please contact the project planner if you have not received a copy prior to the meeting.

NOTIFICATION OF ACTION. The project planner will notify you by mail to confirm the action taken by either the Director or the Planning Commission, as appropriate to the application. Contact the project planner if you do not receive such notification. For PCN applications considered by the Community Development Director, notification of the Director’s action will also be mailed to property owners in the vicinity of the subject property.

APPEALS. Anyone may appeal the action of the Director to the City Council not later than 10 calendar days after the director’s action. Anyone may appeal the action of the Planning Commission to the City Council not later than 15 calendar days after the Commission’s action. An application form and fee (see Line P66 of the current Master Fee Schedule for administrative appeals and line P47 for all other appeals) is required to make a formal appeal.

FOR FURTHER INFORMATION, PLEASE CONTACT THE COMMUNITY
DEVELOPMENT DEPARTMENT
planning@brisbaneca.org

Community Development Department Hours:
8 A.M - 5 P.M. Mondays, Tuesdays & Thursdays
8 A.M. – 8 P.M. Wednesdays
8 A.M. - 1 P.M. Fridays

Please call ahead to make an appointment.



SUPPORTING STATEMENTS:

1. What is the proposed use of the subject property? _____

2. What are the proposed hours of operation at the subject property? _____

3. Number of employees? _____

4. Describe how the proposed alcohol sales would be conducted to ensure the use was **not** be detrimental to the public health, safety, or welfare of persons in the area.

5. Describe how the proposal alcohol sales would be conducted to ensure the use would **not** increase the severity of existing law enforcement or public nuisance problems in the area.

6. Address **at least one** of the three questions below (a, b, or c):

How would the proposed location for the on-sale or off-sale of alcoholic beverages act as a convenience to an underserved portion of the community without presenting a significant adverse impact on public health or safety?

How would the proposed location for the on-sale or off-sale of alcoholic beverages enhance or facilitate the vitality of an existing commercial area without presenting a significant adverse impact on public health or safety?

Would the proposed on-sale or off-sale of alcoholic beverages be incidental and associated with a larger retail use and provide for a more complete and convenient shopping experience? Describe how this would be achieved.



FINDINGS REQUIRED TO GRANT A PCN DETERMINATION:

Brisbane Municipal Code Chapter 5.70

Subject to this section 5.70.050, the decision-making body shall review an application for a determination and may issue a determination of public convenience or necessity in connection with an application for a license from the California Department of Alcoholic Beverage Control for the on-premises sale or off-premises sale only after making all of the following findings:

- A. The property for which the alcoholic beverage license is requested has no active Building Code or Health Code violations of record, and on-premises sale or off-premises sale is a permitted use; and
- B. The proposed on-premises sale or off-premises sale use is not located within an area that the proposed use would:
 - 1. Be detrimental to the public health, safety, or welfare of persons located in the area; or
 - 2. Increase the severity of existing law enforcement or public nuisance problems in the area; and
- C. At least one of the following additional findings:
 - 1. The proposed outlet for the on-premises sale or off-premises sale would act as a convenience to an underserved portion of the community; or
 - 2. The proposed outlet for the on-premises sale or off-premises sale would enhance or facilitate the vitality of an existing commercial area; or
 - 3. The proposed on-premises sale or off-premises sale is incidental and appurtenant to a larger retail use and provides for a more complete and convenient shopping experience.