



## Public Convenience or Necessity Determinations

### Issuance or Transfer of Certain Liquor Licenses in the City and County of San Francisco

#### [California Business and Professions Code, Section 23958.4](#)

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In the State of California, all alcohol-serving businesses must obtain a liquor license from the state as a condition of doing business. Liquor licenses are issued by the California Department of Alcoholic Beverage Control ("ABC Office"). All applicants for liquor licenses must apply with the state ABC Office.

If the service premises is or will be located in an area with an undue concentration of licensed liquor establishments or reported crime, then it is necessary for the applicant to show that "public convenience or necessity" ("PC or N") would be served by the issuance. The PC or N determination may be made by the state ABC Office, or by a local governing body, depending on the license type and other circumstances. The state ABC Office will advise when it is necessary for a liquor license applicant to receive a PC or N determination from the Board of Supervisors of the City and County of San Francisco.

This fact sheet serves to provide liquor license applicants with a summary of the procedures for obtaining a PC or N determination from the San Francisco Board of Supervisors. California State Business and Professions Code, Division 9, Chapter 6, contains the applicable laws for issuance and transfer of liquor licenses. In case of conflict between this fact sheet and the Business and Professions Code, the Business and Professions Code provisions control and apply.

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#### Important Facts:

**The Board of Supervisors doesn't issue liquor licenses.**

Liquor licenses are issued by the California Department of Alcoholic Beverage Control. For some liquor license applications, the Board of Supervisors will make a PC or N determination as requested by applicants. The state ABC office uses these determinations when issuing or transferring licenses.

**The state ABC Office may not issue a liquor license if it violates an existing local zoning ordinance.**

The Planning Department reviews all liquor licenses within the City and County of San Francisco. Prior to requesting a PC or N determination, the applicant should contact the Planning Department and verify that the proposed service license is authorized by the City's zoning.



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**The Police Department may recommend conditions on the issuance of the liquor license.**

The San Francisco Police Department has an Alcoholic Beverage Control Liaison Unit ("ALU"). The ALU reviews all liquor licenses within the City and County of San Francisco. The ALU may recommend conditions on the issuance by the state ABC Office.

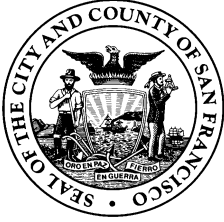
[Police Code, Section 1298](#)

**PC or N determinations are heard in Committee.**

PC or N determinations are heard in the Public Safety and Neighborhood Services Committee, and may be recommended as resolutions to the Board of Supervisors for adoption.

**The Board of Supervisors has 90 days to act on PC or N requests.**

The Board should make its determination of public convenience or necessity by resolution within 90 days of the receipt of a valid request from the applicant. If the Board does not make a determination within the 90-day period, the state ABC Office may issue a license—if the applicant shows that PC or N would be served by the issuance.



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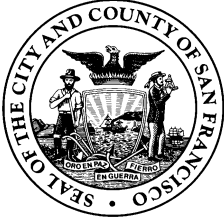
**What to File:**

To request a PC or N determination, an applicant must provide the following information by letter:

- 1) Applicant's name and contact information, including a daytime phone number and email address;
- 2) The name and address for the applicant's business;
- 3) The applicant's mailing address (if different from the above);
- 4) The license type the applicant is seeking from the California Department of Alcoholic Beverage Control, and whether the license will be a new issuance or a transfer of an existing license;
- 5) The proposed business hours of operation;
- 6) When and how the applicant filed the application for the liquor license with the California Department of Alcoholic Beverage Control;
- 7) When and how the applicant completed the noticing requirements for the liquor license, pursuant to state law; and
- 8) An explanation for how the license will serve the public convenience or necessity in the neighborhood and city-wide.

*NOTE 1: Applicants must first apply for a license with the California Department of Alcoholic Beverage Control, before requesting a determination of public convenience or necessity.*

*NOTE 2: The letter requesting a determination of public convenience or necessity must be signed by the applicant.*



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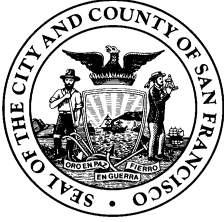
[California Business and Professions Code,  
Section 23958.4](#)

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**Where to File:**

Office of the Clerk of the Board of Supervisors:

- 1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244  
San Francisco, CA 94102
- (415) 554-5184



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#### **Procedural Steps:**

Upon receipt of a request for public convenience or necessity, the Office of the Clerk of the Board will refer the matter to the Planning Department and the ALU for review and recommendations.

The Planning Department may approve or disapprove the proposal, based upon the existing local zoning controls for the premises. This may require filing additional materials with the Planning Department; an employee of the Planning Department may contact the applicant to advise.

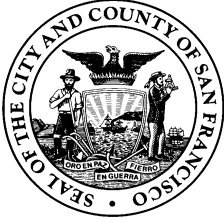
The ALU may investigate the proposed service premises, and recommend the approval or disapproval of the PC or N determination; an investigator for the ALU may contact the applicant to advise. The ALU may recommend conditions on the issuance of the liquor license by the state ABC Office.

If the Planning Department and the ALU recommend approval, the Board of Supervisors' Public Safety and Neighborhood Services Committee may schedule a public hearing to consider the PC or N request during a committee meeting. The Committee will take public comment during the hearing, and the applicant will be expected to attend, present, and answer questions raised.

The Committee may choose to prepare a resolution making a determination that the liquor license would or would not serve the public convenience or necessity.

Following the Committee hearing, the Board of Supervisors may approve or disapprove the resolution by a majority vote.

Enacted resolutions making PC or N determinations are forwarded by the Clerk of the Board to the state ABC Office for review and consideration in the liquor license application.



## Public Convenience or Necessity Determinations

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**Contact:**

Office of the Clerk of the Board of Supervisors:

- 1 Dr. Carlton B. Goodlett Place,  
City Hall, Room 244  
San Francisco, CA 94102
- (415) 554-5184

California Department of Alcoholic Beverage Control:

- 33 New Montgomery St., Suite 1230,  
San Francisco, CA 94105
- (415) 356-6500

San Francisco Police Department,  
Alcoholic Beverage Control Liaison Unit:

- (415) 575-6067

San Francisco Planning Department,  
Planning Information Center:

- 1660 Mission Street, First Floor  
San Francisco, CA 94103
- (415) 558-6378

San Francisco Department of Building Inspection:

- 1660 Mission Street, First Floor,  
San Francisco CA 94103
- (415) 558-6088

San Francisco Office of  
Economic and Workforce Development,  
Economic Development Division - NightlifeSF:

- 1 Dr. Carlton B. Goodlett Place  
City Hall, Room 448  
San Francisco, CA 94102
- (415) 554-6969