

## County of Sacramento Office of Planning and Environmental Review

### Application Fee and Process for Finding of Public Convenience and Necessity (PCN)

A finding of Public Convenience and/or Necessity (PCN) is required when the State Department of Alcoholic Beverage Control (ABC) determines that a request for a license is proposed within a census tract that is over-concentrated with licenses and/or located within a high crime area, as determined by the County Sheriff's Department. ABC is required by state law to deny the application, unless the applicant/licensee can persuade the Sacramento County Board of Supervisors that the public would benefit from the presence of an additional alcohol sales outlet and accordingly be issued a letter of Public Convenience and Necessity.

In Sacramento County, the PCN process is codified in Sacramento County Code, Chapter 4.60. Processing and review is prescribed to the Office of Planning and Environmental Review Division (PER). The process is conducted in two phases.

**Phase One: Fee -- \$1,291.62 (non-refundable and deposited at the time of application submittal)**

An application is submitted to the Office of Planning and Environmental Review (PER). Please provide the following:

- Completed and signed PCN Application Form (including applicable supporting documents)
- Prepare and submit a site plan showing the entire parcel where the business is located.
- Prepare and submit a floor plan of the business and identify the location of alcohol sales/display.
- A typed Statement of Justification (please no handwritten statements)
  - ✓ Include, as a header at the top of the page, "Letter of Justification (*Name of Business, Business Address*)".
  - ✓ Include in the statement why you believe the public interest would be served by selling alcoholic beverages at your establishment. This statement should include the history of your business, as well as your reasons for asking the Board of Supervisors to make this exception for your business.
- **Phase One AND Phase Two checks** in the amount of **\$1,291.62 AND \$4,251.06** respectively, payable to "Sacramento County". Do not combine the amounts. The Phase One check will be deposited to the County to start the process.

The application and submitted forms will be reviewed by PER, the Department of Finance (Business Licensing), Environmental Management Department (Environmental Health), and Sheriff's Department. The Sheriff's Department review includes evaluation of the site, crime statistics, recent history of community issues, and if necessary, may include a meeting with the applicant to explore mitigating options. Reviewers of the Sheriff's Department will make recommendations/conditions. If the recommendations/conditions do not work for the applicant/licensee, the applicant can choose to withdraw the PCN application and not move on to Phase Two. The Phase Two check will be returned to the applicant.

**Phase Two: Fee -- \$4,251.06 (non-refundable)**

If the applicant/licensee wishes to continue, PER will deposit the Phase Two check. PER will then notice for a public hearing before the appropriate Community Planning Advisory Council (CPAC). Public comment is encouraged; often these comments relate to hours of operation, limits on products, and security enhancements. PER staff will review all comments and public input, propose recommendations/conditions, and make a recommendation to the Board of Supervisors for approval or denial. The applicant/licensee is required to demonstrate, by substantial evidence that the public convenience will be served by the issuance of a license. The applicant/licensee is also required to demonstrate that the proposed sale of alcohol will be accomplished in a manner to eliminate any objections that were received. The Board of Supervisors will consider whether to make a finding of public convenience and/or necessity and may impose conditions upon any license issued by ABC. Generally, the hearing before the Board of Supervisors is scheduled within 60-90 days from the date of a completed application received by the Office of Planning and Environmental Review.