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COMMUNITY DEVELOPMENT DEPARTMENT

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CITY OF BEVERLY HILLS

APPLICATION FOR DETERMINATION
OF PUBLIC CONVENIENCE OR NECESSITY

Applicant Name: _____

Name of Premises: _____

Address of Premises: _____

Representative and Telephone Number: _____

Explain why your license application with the California Department of Alcoholic Beverage Control (ABC) serves the Public Convenience or Necessity pursuant to Section 23958.4 of the California Business and Professions Code. (Use additional sheets as necessary.)

Do you know of any other businesses in the City of Beverly Hills providing the same or similar services? (Use additional sheets as necessary.)

Signature of Applicant

Date: _____

Return completed application, application fee (see current Fee Schedule), and two sets of mailing labels for a 300-foot radius of neighbors to the Planning Division.

CITY OF BEVERLY HILLS
Process and Procedures for
Determination of Public Convenience or Necessity
for Certain Applications Before the
California Department of
Alcoholic Beverage Control (ABC)

1. The City of Beverly Hills shall hold a noticed public hearing within thirty (30) days upon Planning Division receipt of: 1) a completed City application form, 2) an application fee per the current Fee Schedule, 3) two sets of mailing labels with the addresses of all property owners and occupants within 300' of the premises for which a determination is requested and a radius map showing the 300' 4) notice mailing charges two sets of labels (see Fee Schedule), and 5) the notice publication fee per the current Fee Schedule. Application forms are available from the Planning Division. A list of private firms that produce mailing labels will be included with the application form. Mailing labels provided by the applicant shall be self adhesive gummed labels on 8½"×11" sheets.
2. At least ten (10) days prior to the public hearing a written notice shall be published in the newspaper and mailed to the applicant, interested parties requesting special notification, and property owners within 300' of the premises for which a determination is requested.
3. The City Council has designated the City Manager or his designee as the Hearing Officer presiding at the public hearing. A member of the City Attorney's Office shall be present in an advisory capacity.
4. The following time is allocated for presentations at the public hearing:

Applicant - 5 Minutes

Each Interested Party - 3 Minutes

Rebuttal by Applicant - 2 Minutes
5. Within five business days of the close of the public hearing the Hearing Officer shall make a written determination. A copy of that determination will be mailed, by United States mail, to the applicant and any interested parties requesting notification.
6. Pursuant to Title 1, Chapter 4, Article 1 of the Municipal Code, the decision of the Hearing Officer may be appealed to the City Council.
7. If the Hearing Officer determines that an application raises issues of public concern that should be addressed by the City Council, the Hearing Officer may refer the application to the City Council without conducting a hearing on the application, or if the public hearing has been held, the Hearing Officer may refer the application to the City Council without making a determination on the application. The City Council shall hold a de novo public hearing on the application pursuant to the procedures of Title 1, Chapter 4, Article 1 as if the applicant had appealed the Hearing Officer's determination to the City Council.
8. A letter explaining the determination of the Hearing Officer shall be sent to the ABC subsequent to expiration of the appeal period to the City Council provided that no appeal has been filed. If there is an appeal to the City Council, the City Council shall conduct a de novo public hearing on the matter pursuant to the procedures of Title 1, Chapter 4, Article 1 of the Municipal Code. A letter explaining the determination of the City Council shall be sent to the ABC subsequent to a determination by the City Council.