



# HOW TO OBTAIN A PERMIT FOR Alcoholic Beverage Outlets

City of San Diego  
Development Services Department

INFORMATION  
BULLETIN  
**143**

January 2022

## I. ALCOHOLIC BEVERAGE OUTLET

Any establishment for which a **Type 20** Beer and Wine License or **Type 21** General Liquor License has been submitted to the California Department of Alcoholic Beverage Control (ABC) for permission to sell alcoholic beverages for off-site consumption shall be regulated as an alcoholic beverage outlet subject to San Diego Municipal Code, Section 141.0502.

This Information Bulletin describes the process for obtaining City's approval of ABC Zoning Affidavits for state licensing of Type 20 & 21. For all **other** ABC License Type requests, applicants only need to submit a General Application form DS-3032, the ABC-255 form and a check (payable to "City Treasurer") for **\$291.89** to cover Standard review fees. This can be submitted in person or mailed to our offices, see Item V.

## II. EXEMPTIONS FROM THIS REVIEW PROCESS

The following Alcoholic Beverage Outlets and areas (for off-site consumption) are exempt from the review process described in this Information Bulletin; see SDMC Section 141.0502(a). Zoning approvals per Standard review may be completed for projects identified in this section;

- A.** Hotels, Motels or any other lodging establishment where the area devoted to sale of alcoholic beverages for off-site consumption does not exceed 10% of the gross floor area of the entire premises.
- B.** Establishments of more than 15,000 square feet of gross floor area, provided the area devoted to alcohol sales does not exceed 10% of the gross floor area of the entire premise (premise is defined as the leasehold in which the outlet is located, not the entire multi-tenant building).
- C.** Alcoholic beverage establishments within the Gaslamp Quarter Planned District and the Centre City Planned District are reviewed by the Civic San Diego at 401 B St. , Ste 400, San Diego, CA 92101. Contact at 619-235-2200.
- D.** Alcoholic Beverage Outlets that were in existence on December 20, 1995, if the outlet retains the same type of retail liquor license within a license classification and has been in continuous operation without a substantial change in the mode or character of operation. See SDMC Section, 141.0502(a) (4)(A)(B).

## III. ADMINISTRATIVE REVIEW

Alcoholic Beverage Outlets are permitted as a limited use in the zones indicated with an "L" in the Use Regulations tables in Chapter 13, Article 1 (Base Zones), also Planned Districts may permit this regulated use, and all are subject to the regulations in SDMC Section, 141.0502(b).

- A.** Alcoholic Beverage Outlets are not permitted in any of the following locations:
  - 1. Within a census tract, or within 600 feet of a census tract, where the general crime rate exceeds the citywide average general crime rate by more than 20%;
  - 2. Within a census tract, or within 600 feet of a census tract, where the ratio of alcoholic beverage outlets exceeds the standards established by the California Business and Professional Code, Section 23958.4;
  - 3. Within 600 feet of a public or private accredited school, a public park, a play ground or recreational area, a church, a hospital or a San Diego County welfare district office;
  - 4. Within 100 feet of a residentially zoned property.

An administrative review is provided for those Alcoholic Beverage Outlets for off-site consumption meeting all location standards listed above. In addition the applicant must agree to comply with the

operational standards as indicated under SDMC Section, 141.0502(b)(2) thru (12). See Agreement to Comply Affidavit attached.

If the applicant has sufficiently met all provisions for an off-sale alcohol license, the reviewer will sign the Alcohol Beverage Control department form ABC-255 and forward it to applicants within 15 business days from the date of application. If an applicant is unable to meet the location standards, the applicant is notified in writing.

**IV. APPLICATION PACKAGE**

Please provide the following documents;

**A. General Application (DS-3032).**

All projects must be submitted with a completed application.

**B. 600-foot Radius Map.**

Provide 2 copies of an Assessor’s Parcel Map outlining a 600-foot radius around the subject property, with the following items identified:

- 1. Churches
- 2. Public or private accredited schools
- 3. Hospitals
- 4. Public parks, playgrounds or recreational areas
- 5. San Diego County welfare district offices
- 6. Within 100 feet of a residential zoned property
- 7. Adjacent census tract (s), including the number of beverage licenses and crime rate.

Assessor’s Parcel Map copies may be obtained at the County Assessor’s office, located at 1600 Pacific Highway, Ste 103, San Diego, CA 92101 or by calling (619) 236-3771.

**C. Off-Sale & Public Premises Licenses Form.**

Provide “Information and Instructions” form (Sec. 23958.4 B&P). This form must be obtained from the State of California, Department of Alcoholic Beverage Control. The information on the form indicates critical information, including the number of off-sale facilities within each census tract and the high crime area statistics, this form is needed to process your Alcoholic Beverage Outlet application.

For properties located north of Miramar, this form must be obtained from the ABC offices located at 334 Via Veracruz, Ste 204, San Marcos, CA (760) 471-4237.

For properties located south of Miramar, this form must be obtained from the ABC offices located at 1350 Front St., Ste 5056, San Diego, CA (619) 525-4064.

**D. Agreement to Comply Affidavit.**

Complete and sign the attached Agreement to Comply Affidavit.

**E. Fees.**

Fees are required to be paid prior to review. Payment may also be made in person by cash, check, ATM card, Visa or MasterCard. Checks shall be in the exact amount, drawn on US banks, and made payable to the “City Treasurer.”

**1. Mapping Fee.....\$10.00**

This fee is charged at submittal when there are plans, drawings, maps or other geographical documents utilized for project review.

**2. Records Fee.....\$21.26**

This fee is assessed for all projects prior to final approval to recover the cost of imaging and archiving the Documents in Records.

**3. Alcoholic Beverage Review Fee .....\$1,500.91**

Additional fees may be assessed at an hourly rate for fees not covered. Please note that plan check

fees and some administrative fees are non-refundable. See Refund Policy noted within [Refund Application Form DS-721](#) for additional refund information.

#### V. OPTIONS FOR SERVICE

Submittal can be done as a walk in or with an appointment. To make an appointment for your submittal, call (619) 446-5300. Check in on the 1st floor of the Development Services Department located at 101 Ash St. Please visit the departments website [SanDiego.gov/dsd](http://SanDiego.gov/dsd) for a list of business hours. For mailed submittals please send to 101 Ash St. 2nd Floor (Zoning Section) - San Diego, CA 92101.

#### VI. CONDITIONAL USE PERMIT REGULATIONS

Provide a copy of all prior Discretionary permits. Staff will review the conditions of approval to determine if an Alcoholic Beverage Outlet is permitted by right. In order to find out if the site has prior discretionary approvals, applicants can verify this through our Records section.

Proposed Alcoholic Beverage Outlets that do not comply with the regulations in SDMC Section, 141.050 (b) may be permitted with a Conditional Use permit (CUP) in accordance with process 3. For additional information, refer to Submittal Manual Section 4.

#### Documents referenced in this Information Bulletin

- General Application, [DS-3032](#)
- Project Submittal Manual, [Section 4](#)
- [Information Bulletin 122](#), How to prepare a Site Plan/Vicinity Map
- Department of Alcoholic Beverage Control Zoning Affidavit, [ABC-255](#)
- [Agreement to Comply Affidavit](#)
- San Diego Municipal Code ([SDMC SECTION 141.0502](#))



City of San Diego  
Development Services  
101 Ash St. 2nd Floor  
San Diego, CA 92101  
(619) 446-5000

## Agreement to Comply Affidavit

I, \_\_\_\_\_, have requested a Type 20 or Type 21 liquor license to sell alcoholic beverages in the City of San Diego at property located at \_\_\_\_\_, pursuant to Section 141.0502 of the City of San Diego Municipal Code, I hereby acknowledge, under penalty of perjury, that the following facts are true:

- A.** That my business is not located within a census tract, or within six hundred (600) feet of a census tract, where the crime rate exceeds the citywide average by more than twenty percent (20%); and
  - B.** That my business is not located within a census tract, or within six hundred (600) feet of a census tract, where the ratio of alcohol beverage outlets exceeds standards established by the California Business and Professionals Code, Section 23958.4; and
  - C.** That my business is at least six hundred (600) linear feet from any public or private accredited school, public park, playground or recreational area, church, hospital or County welfare district office; and
  - D.** That my business is not located within one hundred (100) linear feet of any residential zone boundary. The separation distance requirement addressed in Section 141.0502(b)(1) has been measured from property line to property line in accordance with Section 113.0225.
- I additionally agree to the following operational standards for my business:
- E.** To prohibit pool or billiard tables, foosball or pinball games, arcade style video or electronic games or coin operated amusement devices on the premises; and
  - F.** To prohibit the placing of exterior public pay phones that permit incoming calls on the premises, including adjacent to public sidewalks. And areas under the control of the owner or operator; and
  - G.** To adequately illuminate the exterior of my business and adjacent sidewalks and areas under my control to a minimum level of 0.4 foot candles per square foot. I shall also ensure that this lighting is shielded and directed so as not to shine on adjacent properties; and
  - H.** That I agree that no more than six hundred and thirty square inches (630 sq. in.) of signage referencing or pertaining to the sale of alcoholic beverages shall be visible from streets adjacent to my business; and
  - I.** That I shall have no more than thirty-three percent (33%) of transparent doors and windows obscured with advertising or signs of any sort and the placement of which will ensure that law enforcement personnel have a clear and unobstructed view of the interior of the outlet; and
  - J.** To post a prominent, permanent sign, visible to the general public stating "No loitering, consumption, or open alcoholic beverage containers are allowed inside the premises, in the parking area, or in the public sidewalks adjacent to the premises," and
  - K.** To list the business address and telephone number in the San Diego telephone directory; and
  - L.** To place at least one 13-gallon trash receptacle inside my business and one 32-gallon trash receptacle outside my business and one in the parking lot for use by my customers; and
  - M.** That I shall maintain the premises, including parking areas and adjacent sidewalks, in a litter free and graffiti free condition at all times. Litter shall be removed on a daily basis; graffiti shall be removed within 48 hours.

***I understand that failure to comply with the standards listed above may result in the revocation of the City's approval to sell alcohol at the referenced address.***

Signature of License Holder:

Date:

\_\_\_\_\_

\_\_\_\_\_

Print or Type Name of License Holder:

\_\_\_\_\_

Printed on recycled paper. Visit our web site at [SanDiego.gov/DSD](http://SanDiego.gov/DSD)  
Upon request, this information is available in alternative formats for persons with disabilities.