

**SANTA BARBARA COUNTY
BOARD AGENDA LETTER**



Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Agenda Number:
Prepared on: 9/15/03
Department Name: County Administrator
Department No.: 012
Agenda Date: 10/7/03
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:

TO: Board of Supervisors

FROM: Michael F. Brown, County Administrator

STAFF CONTACT: Judy Sandoval, Administrative Analyst
568-3403

SUBJECT: Public Convenience Determination for Cuyama Service Center, Inc.
5007 Highway 166, New Cuyama, CA (Fifth District).

Recommendation(s):

That the Board of Supervisors: Approve and authorize the Chair to sign the attached letter to the Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by approving the new Off-sale Beer and Wine license to the Cuyama Service Center, Inc., a business located at southwest of the intersection of Highway 166 & Perkins Road, known as 5007 Highway 166, New Cuyama area.

Alignment with Board Strategic Plan:

The recommendation is primarily aligned with Goal No. 1 – An Efficient Government Able to Respond Effectively to the Needs of the Community.

Executive Summary and Discussion:

On August 28, 2003 the Cuyama Service Center, Inc. applied for a Type 20 Off-sale Beer and Wine license from the Department of Alcohol Beverage Control for a current establishment at 5007 Highway 166 in New Cuyama. To meet the requirements of Business and Professions Code Sections 23958 and 23958.4, the Board of Supervisors must act on a letter of Public Convenience and Necessity within 90 days of the applicant's request.

Upon the recommendation of the Planning & Development Department, the Board of Supervisors adopted a Resolution that approved the rezone of this subject property as Retail Commercial (C-2) under the Article III Zoning Ordinance, which allows for the use of a Type 20 Off-sale Beer and Wine license.

In approving the rezone of the subject property for the intended permitted use, the Board accepted the findings made by the Planning & Development Department and subsequently approved by the Planning Commission that the rezone request is in the interests of the general community welfare.

The findings state the primary purpose of the project is to ensure the economic vitality of this commercial property in New Cuyama. The previous Highway Commercial zoning and land use designations did not allow the range of commercial uses that are allowed with the newly-designated Retail Commercial (C-2) zoning and General Commercial (C) land uses permitted uses.

Further, the findings state that the Cuyama Service station is the store to buy gasoline along the 80-mile stretch on Highway 166 between Santa Maria and Maricopa in Kern County, so it is important for both the community and the traveling public that it remains in business. Also, the findings state that the project is consistent with applicable sections of the Inland Zoning Ordinance and will not result in spot zoning, but instead will abut property to the south that is already zoned Retail Commercial (C-2).

Lastly, the Sheriff's Department, Santa Maria Sub-Station has been notified of the request for an additional ABC license for that area. Their response states that there are no violations on record and has no objection to the application, and will accept the judgment of the Department of Alcohol Beverage Control.

Mandates and Service Levels:

The Board of Supervisors is required to act on this request pursuant to State law (Business and professions Code Section 23958 and 23958.4).

Fiscal and Facilities Impacts:

Approval of this recommendation will not result in any additional costs to the County, nor have any impact on facilities.

Special Instructions:

Send the executed letter to Department of Alcohol Beverage Control, Attention Robert Olshaskie, 3220 S. Higuera St., Ste. 305, San Luis Obispo, CA 93401.

October 7, 2003

Department of Alcohol Beverage Control
Attn: Robert Olshaskie
3220 S. Higuera St., Ste. 305
San Luis Obispo, CA 93401

Dear Mr. Olshaskie:

This letter is to advise the Department of Alcohol Beverage Control that the Board of Supervisors of the County of Santa Barbara has determined that public convenience will be served if a Type 20 Beer and Wine license is issued to the Cuyama Service Center, Inc. for the business establishment located at 5007 Highway 166, New Cuyama.

The Board made this decision at its September 16, 2003 Board meeting.

Sincerely,

Naomi Schwartz, Chair
Santa Barbara County Board of Supervisors

cc: Mrs. Judith Goller
Post Office Box 180
New Cuyama, CA 93254