



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

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

Submitted on:
(COB Stamp)

Department Name: County Executive Office
Department No.: 012
For Agenda Of: 10/10/06
Placement: Administrative
Estimate Time:
Continued Item: NO
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Director: Michael F. Brown, 568-3404
Contact Info: James Laponis, 568-3404

SUBJECT: Public Convenience Determination for R Country Market, 1000 Edison St., Santa Ynez, CA
(Third District)

County Counsel Concurrence:

As to form/legality: Yes No N/A

Auditor-Controller Concurrence:

As to form: Yes No N/A

Recommended Action(s):

That the Board of Supervisors approve and authorize the Chair to sign the attached letter and application 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 R Country Market, located at 1000 Edison St., Santa Ynez.

Summary:

On July 10, 2006, R Country Market, applied for a Type 21 Off-Sale Beer and Wine license from the Department of Alcohol Beverage Control for a market located at 1000 Edison St. in Santa Ynez. To meet the requirements of Business and Professions Code 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.

Based on staff's review of the applicant's request, the County Executive Office recommends that the Board issue a letter to the Department of Alcohol Beverage Control (ABC) finding that public convenience will be served by the approval of the issuance of the off-sale beverage license, with the following condition: as specified by the Sheriff's Department, if alcohol is consumed on the premises, the patio area is to be supervised by an employee at all times alcohol is sold. As such, a letter and the form from the ABC have been prepared and are attached for the Board's consideration.

Background:

The number of licenses allowed for this census tract is seven. Ten licenses currently exist, thus triggering the need to determine whether public convenience would be served by approving the application for an off-sale beer and wine license.

The Sheriff's Department, Solvang Sub-Station, has been notified of the request for the license and, other than the condition stated above that the patio area is to be supervised by an employee at all times alcohol is sold, states that there are no violations on record, nor would this pose any significant law enforcement issues, and has no objection to the application, and will accept the judgment of the Department of Alcohol Beverage Control.

10/10/06

Page 2 of 2

The Planning and Development Department has stated that the location is zoned C-2 and R Country Market has received both Land Use and Building permits for its current use. This zone type does allow the sale of alcohol as a permitted use. There are no zoning related issues to the request for the letter of PCN.

Fiscal and Facilities Impacts:

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

Budgeted: Yes No

Fiscal Analysis:

Narrative:

Staffing Impact(s):

Legal Positions:

FTEs:

Special Instructions:

Send the executed letter and application to Department of Alcohol Beverage Control, Attention Ed Macias, 411 E. Canon Perdido St., Room 12, Santa Barbara, CA 93102.

Attachments: (list all)

Letter to Alcohol Beverage Control
Form ABC-245 from Alcohol Beverage Control

Authored by:

Jette Y. Christiansson, Business Manager, County Executive Office, 568-3403

cc: R Country Market

1000 Edison St.
Santa Ynez, CA 93460

Jette Y. Christiansson, Business Manager, CEO
County of Santa Barbara

October 10, 2006

Department of Alcohol Beverage Control
Attn: Ed Macias
411 E. Canon Perdido St., Room 12
Santa Barbara, CA 93102

Re: Public Convenience Determination for R Country Market

Dear Mr. Macias:

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 21 Off-sale Beer and Wine license be issued to R Country Market, located at 1000 Edison St., Santa Ynez, under the following condition: as specified by the Sheriff's Department, if alcohol is consumed on the premises, the patio area is to be supervised by an employee at all times alcohol is sold.

The Board made this decision at its October 10, 2006 Board meeting.

Sincerely,

Joni Gray, Chair
Santa Barbara County Board of Supervisors

cc: R Country Market
1000 Edison St.
Santa Ynez, CA 93460