



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

Department Name: Planning &
Development
Department No.: 053
For Agenda Of: April 3, 2012
Placement: Administrative
Estimated Tme: N/A
Continued Item: No
If Yes, date from: N/A
Vote Required: Majority

TO: Board of Supervisors
FROM: Department Glenn S. Russell, Ph.D., Director (568-2085)
Director Planning & Development
Contact Info: Doug Anthony, Deputy Director, 568-2046
Development Review Division – North County
SUBJECT: Public Convenience Determination for Baxis Wine Tasting Room

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: No

Recommended Actions:

That the Board of Supervisors approve and authorize the Chair to sign the attached letter (Attachment A) and application (Attachment B) to the California Department of Alcohol Beverage Control (ABC) determining that public convenience will be served by issuing the new On-Sale Wine Tasting Room to Linda Jean Williams Baxis and Marc Baxis in conjunction with the Outpost Trading boutique located at 3549 Sagunto Street, in Santa Ynez.

Summary Text:

On January 12, 2012, Linda Jean Williams Baxis and Marc Baxis applied for a Type 42 On-Sale Wine license from ABC for a wine tasting room in their retail store, the Outpost Trading Boutique, located at 3549 Sagunto Street 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 Planning & Development Department recommends that the Board issue a letter to the ABC finding that public convenience will be served by the approval of the issuance of the On-sale beverage license. As such, a transmittal letter and ABC Form 245 have been prepared and attached for the Board's consideration.

Background:

Type-42 licenses allow the sale of beer and wine for consumption on or off the premises; sale of distilled spirits is prohibited under this license. ABC establishes a threshold for the number of licenses issued in each census tract to control the concentration of establishments granted licenses for retail sale and consumption of alcoholic beverages on premises (classified “active onsale retail licenses”), including Type-42 licenses; the threshold is the ratio derived from the number of active onsale retail licenses county-wide compared to the county’s total population. Any census tract that exceeds the threshold for active onsale retail licenses is deemed a census tract of undue concentration. Additionally, ABC deems an area to be one of undue concentration of active onsale retail licenses if it the crime-reporting district for the area determines that the number of reported crimes exceed the average number of reported crimes in the county by 20 percent or more. ABC defers approval of applications for active onsale retail licenses to the local jurisdiction, when a census tract is deemed a tract of undue concentration.

The subject Type-42 license application is for a property situated in Census Tract 19.06. This census tract encompasses the entirety of the Santa Ynez township, plus the southern tail of the City of Solvang and Lake Cachuma (Attachment C). Currently, this tract is deemed an area of undue concentration, because the number of businesses with active onsale retail licenses – which is twenty one – exceeds the threshold of eleven for this tract.

The Outpost Trading Boutique is located on property that is zoned C-2; the store caters to the local clients. The C-2 zone district allows wine bars and taverns. The Sheriff’s Department, City of Buellton/City of Solvang/Santa Ynez Valley, has been notified of the request for the license. The Sheriff’s Department review indicates that there are no violations of record. Furthermore, the department has indicated that the request would not pose any significant law enforcement issues; accordingly, the Sheriff’s Department has no objection to the application, and will accept the judgment of ABC and the Board of Supervisors.

Fiscal and Facilities Impacts:

Budgeted: Yes

The total estimated cost to process this public convenience license is approximately \$369.00 (2 staff hours), and is budgeted in the Development Review North Division, as shown on page D-316 of the adopted 2011/2012 fiscal year budget.

Special Instructions:

The Clerk of the Board shall forward a copy of the Minute Order to P&D, Attn: David Villalobos.

The Clerk of the Board shall send the executed letter and application to Department of Alcohol Beverage Control, Attention: Diana Lentz, 1000 S. Hill Road, Ste 310, Ventura, CA 93003

Attachments:

- A. Letter to Alcohol Beverage Control
- B. Form ABC 245 from Alcohol Beverage Control
- C. Census Tract Reference Map

Authored by:

Kimberlee Probert, Planner II, Planning & Development Department, 934-6291

cc:

Linda Jean Williams Baxis and Marc Baxis, 3549 Sagunto Street, Santa Ynez, Ca 93460-9381