



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: May 10, 2011  
Placement: Administrative  
Estimated Tme: N/A  
Continued Item: No  
If Yes, date from: N/A  
Vote Required: Majority

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**TO:** Board of Supervisors

**FROM:** Department Glenn Russell, PhD., Director (568-2085)  
Director(s) Planning and Development  
Contact Info: Doug Anthony, Deputy Director, 568-2046  
Development Review Division – North County

**SUBJECT: Public Convenience Determination of Alcohol Beverage Control License for Casmalia General Store**

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**County Counsel Concurrence**

As to form: N/A

**Other Concurrence:** N/A

As to form: No

**Auditor-Controller Concurrence**

As to form: N/A

**Recommended Actions:**

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 issuing the new Off-Sale Beer and Wine license to Robin Elizabeth Watt-Gorley, for the Casmalia General Store located at 3401 Pt. Sal Road, #3, in Casmalia.

**Summary Text:**

On February 15, 2011, Robin Elizabeth Watt-Gorley applied for a Type 20 Off-Sale Beer and Wine license from the Department of Alcohol Beverage Control for a convenience market at 3401 Pt. Sal Road, #3, in Casmalia. 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 (PCN) within 90 days of the applicant's request.

Based on staff's review of the applicant's request, the Planning & Development 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 off-sale beverage license. As such, a transmittal letter and ABC Form 245 have been prepared and attached for the Board's consideration.

**Background:**

A Type 20 license allows the sale of alcoholic beverages to be taken off site (i.e., grocery store or convenience store). The ABC placed a moratorium on Type 20 licenses in the early 1990's in response to over concentration issues. The moratorium allows for issuance if the following criteria can be met: 1) the census tract in which the license is to be issued is not over-concentrated; 2) crime stats in the area are below acceptable levels; and, 3) the Applicant receives a positive letter of PCN from the governing body. As such criteria #3 triggers the need for the County to make a determination of whether or not the public convenience would be served by approving the application for an off-sale beer and wine license.

The Casmalia General Store is on property zoned C-1 and is the only store in the Town of Casmalia. The C-1 zone district allows convenience stores that supply commodities to the residences in the neighborhood. Type 20 licenses have not been allowed for this census tract to date. The Sheriff's Department, Santa Maria Station, has been notified of the request for the license. Their review indicates that there are no violations on record. Furthermore they have indicated that the request would not pose any significant law enforcement issues, have no objection to the application, and will accept the judgment of the Department of Alcohol Beverage Control.

**Fiscal and Facilities Impacts:**

Budgeted: Yes **Fiscal Analysis:**

Costs necessary to process this determination are budgeted in the Development Review – North Division general fund contribution, on page D-334 of the FY 2010/11 Santa Barbara County Operating Plan.

**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: Matthew J. Austin, 3220 S. Higuera St., Suite 233, San Luis Obispo, CA 93401.

**Attachments:**

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

**Authored by:**

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

**cc:**

County Counsel  
Robin Elizabeth Watt-Gorley  
3401 Point Sal Road, #3  
Casmalia, CA 93429  
Kimberlee Probert, Planner II, P&D  
County of Santa Barbara