

**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: 7/23/03
Department Name: County Administrator
Department No.: 012
Agenda Date: 8/12/03
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 Lariat Saloon, 406 Bell Street,
Los Alamos, CA (Third 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 On-Sale Beer and Wine license to Nancy Elaine Ybarra for a business located at 406 Bell Street, in the community of Los Alamos.

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 May 14, 2003 Ms. Ybarra applied for a Type 41 – On-Sale Beer and Wine license from the Department of Alcohol Beverage Control for a current establishment at 406 Bell Street in Los Alamos. 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. Ms. Ybarra was directed to Planning and Development as the approving body, and made this requested on May 16, 2003.

The number of licenses allowed for this census tract is eleven. Twenty-four exist: twenty-one are issued to restaurants, one each to a bar in Buellton and Los Alamos, and one being surrendered by the current owner of the Lariat Saloon, who is selling the establishment thus triggering the need to determine whether public convenience continues to be served by approving a new on-sale beer and wine license.

Board of Supervisors
Agenda Date: August 12, 2003
Subject: Public Convenience Determination for Lariat Saloon
Page 2

The Planning and Development Department has stated that the location is zoned C-2, General Commercial. This zone type allow bars as a permitted use. The Lariat Saloon is a non-conforming building, built before the zoning ordinance was approved. A permit has been issued for this building to be used as a bar, within the building only. The permit does not allow for any outside use, including the patio area, until the applicant obtains approval from the Planning and Development Department.

The Sheriff's Department, Santa Maria Sub-Station, has been contacted, and 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.

The Department of Alcohol Beverage Control has received seven letters from residents of the Los Alamos area. The majority were not protests, but concerns for the potential of outside noise. One letter of protest has been received and accepted. The ABC will go forward with its investigation and a hearing.

Based on staff's review of the applicant's request, the County Administrator's Office recommends that the Board issue a letter to the Department of Alcohol Beverage Control finding that public convenience will be served by the approval of the on-sale beverage license. As such, a letter has been prepared and is attached for the Board's consideration.

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) – attached.

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, and fax a copy to Linda Reiswig, 473-0432.

July 28, 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 42 – On-Sale Beer and Wine license is issued to Ms. Nancy Elaine Ybarra for the business establishment of the Lariat Saloon, located at 406 Bell Street, Los Alamos, CA. The Board made this decision at its August 12, 2003 Board meeting.

Sincerely,

Naomi Schwartz, Chair
Santa Barbara County Board of Supervisors

Cc: Linda Reiswig