

The County of Yuba

Community Development and Services Agency



TO: Board of Supervisors

FROM: Community Development and Services Agency, Ciara Fisher

SUBJECT: Community Development and Services Agency: Make a finding of a public convenience or necessity for a Type 20 ABC license for a Dollar General grocery and consumer goods store located at 16669 Willow Glen Road.

DATE: September 22, 2020

NUMBER: 455/2020

Recommendation

Consider the application from Rawlings Consulting, on behalf of Dollar General, to the Board of Supervisors to make a finding of public convenience or necessity to allow a Type 20 Off-Sale Beer & Wine Alcoholic Beverage License.

Background:

Yuba County has received an application from Rawlings Consulting to make a finding that public convenience or necessity will be served by allowing an Off-Sale Beer & Wine (Type 20) alcoholic beverage license for an approximately 9,100 square foot grocery and consumer goods store that Dollar General plans to operate at 16669 Willow Glen Road in the Brownsville Community. The parcel is zoned Rural Commercial and a General Plan land use designation of Rural Community (APN: 056-130-015).

Yuba County is currently subject to a State of California Department of Alcoholic Beverage Control (ABC) 1998 ABC moratorium on the issuance of off-sale beer and wine licenses because the ratio of Off-Sale ABC Type 20 & 21 licenses in Yuba County exceeds one for each 2,500 residents. The proposed grocery and consumer goods store is located in Census Tract #411 that has eight existing allotted Off-Sale licenses by ABC. ABC currently allows four licenses in the census tract, so in order to allow an additional Off-Sale license in the census tract the Board of Supervisors must make a finding that will serve the public convenience or necessity.

Discussion:

Rawlings Consulting provided a justification letter as to the need for Dollar General's Off-Sale Type 20 ABC license at 16669 Willow Glen Road. In the justification letter, they argue that:

1. The use is essential or desirable to the public convenience and public welfare:

The proposed availability of alcohol with the sale of staple groceries such as fruits and vegetables, milk, juice, eggs, bread, cereal, coffee, soup, pasta, sodas. They will also offer consumer products such as tooth paste, soap, detergent and paper towels allows customers to have readily available products in one location where they would otherwise be obliged to travel to other locations to further purchase their items. Thus, the establishment of off-site alcoholic beverage sale serves a public convenience.

2. Granting the permit it will not be materially detrimental to the public welfare and to other property in vicinity:

The proposed sale of alcohol would not be detrimental to the public health, safety or welfare because the store has been designed as safe family oriented shopping with all windows facing the street and parking lot allowing for motorists and patrons outside the store a direct view inside the store. Cashiers are located near the entrance of the store; and security cameras are placed throughout the interior and exterior of the building. Furthermore, the store is primarily for the sales of staple groceries and consumer products and the sale of alcohol is incidental and in conjunction with the sale of such items. Additionally, the convenience of a wide variety of groceries and consumer products in one location promotes the general welfare. Furthermore, this operation will have general conditions to limit nuisance behavior associated with sales of alcohol.

3. The use conforms to good zoning practices and development standards:

The store is located within a commercial zone. Locating grocery stores in retail commercial zones on major thoroughfares is consistent with good community development practices and standards.

4. The use is not contrary to any of the objectives of any part of the adopted General Plan:

Alcohol sales for off-site consumption within a grocery store is consistent with the County's General Plan by providing a product that serves to provide the full spectrum of commercial needs for a community commercial retail center.

5. They will implement security measures.

Surveillance cameras are located throughout the sales area as well as storage area. Employees go through corporate training for alcohol sales and must input date of birth into cash register to complete any alcohol transaction.

Lastly, they intend to be in strict compliance with California law and all other applicable standards requested by ABC, the Yuba County Planning Department, the Sheriff's Department, and the Board of Supervisors of Yuba County for the sale of alcohol.

The County does not have any adopted policies on alcoholic beverage licenses. Therefore, in order for the Board of Supervisors to take action in favor of Dollar General's application, the Board

must make findings of public necessity or convenience. This is consistent with the requirements of the State of California Department of Alcoholic Beverage Control.

Committee Action:

Since this is an item of “public interest”, it was not presented to the Land Use & Public Works Committee.

Fiscal Impact:

General Fund -	None
Non-General Fund -	None
Source of Funds -	None

Attachments

Letter of Justification
Site Location Map