



COUNTY OF HUMBOLDT

Legislation Text

File #: 24-275, Version: 1

To: Board of Supervisors

From: Planning and Building Department

Agenda Section: Consent

Vote Requirement: Majority

SUBJECT:

Determination of Public Convenience for Issuance of a Type 40 Alcoholic Beverage License to Hardeep & Sons, Owner/Operator of the Lighthouse Miniature Golf Facility in Manila

RECOMMENDATION(S):

That the Board of Supervisors:

1. Adopt the resolution (Resolution 24-). (Attachment 1) which does the following:
 - a. Determines that the issuance of a Type 40 alcoholic beverage license to Hardeep & Sons, owner/operator of the Lighthouse Miniature Golf facility, is a public convenience.

SOURCE OF FUNDING:

There is no adopted fee or deposit for this determination in the county's fee schedule, however the cost associated with preparing this report is minimal.

DISCUSSION:

Executive Summary

Hardeep & sons, owner/operator of the Lighthouse Miniature Golf facility in the Manila area has applied to the Department of Alcoholic Beverage Control for a Type 40 Alcoholic Beverage License which allows for only beer to be served, and allows for minors to be present provided that some limited food and/or snacks are available to be served. The facility currently holds a Type 41 license, which allows for both beer and wine to be served, and allows for minors to be present but requires a stiff meal to be available to be served. The mini-golf facility is located in a census tract that has an "undue concentration" of ABC licenses that allow on-site consumption and the Department of Alcoholic Beverage Control may only issue a new or revised license if the local governing body finds that issuance of the license is a "public convenience" or a "public necessity". In the event that the local governing body does not respond, ABC will make the determination themselves.

The census tract where the Lighthouse Miniature Golf facility is located is Humboldt County census tract 13, which encompasses Fairhaven, Samoa, Manilla and the Arcata bottoms. There are currently four on-sales ABC licenses, including the Type 41 license currently issued to the owner of the Miniature Golf facility which is proposed to be replaced with a Type 40 license. This census tract holds more ABC licenses than the ratio of licenses to capita in the County and is therefore considered to have an “undue concentration”. The other three licenses in the census tract are held by the Humboldt Bay Social Club, the Samoa Cookhouse, and The Coffee Break. The Lighthouse Miniature Golf is unlike any of these other businesses and provides a recreational and social opportunity that does not exist elsewhere in the County. For this reason, the conversion of the Type 41 license to Type 40 can be found to be a public convenience.

FINANCIAL IMPACT:

There is very minimal cost associated with preparing this Board report and resolution.

STRATEGIC FRAMEWORK:

This action supports your Board’s Strategic Framework priority by its core role of supporting business and enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

Department of Alcoholic Beverage Control

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board could choose to find that the issuance of a Type 40 license is not a “public” convenience” or “public necessity” in which case the ABC license would be denied.

ATTACHMENTS:

NOTE: The attachments supporting this report have been provided to the Board of Supervisors; copies are available for review in the Clerk of the Board's Office.

1. Draft Board Resolution and Findings
2. Alcoholic Beverage Control Application

PREVIOUS ACTION/REFERRAL:

Meeting of: N/A
File No.: N/A