



ALCOHOLIC BEVERAGE RETAIL ESTABLISHMENTS SUPPLEMENTAL APPLICATION



GENERAL INFORMATION

DOES THE CITY REGULATE ALCOHOL SALES?

Yes, the retail sales of alcoholic beverages are regulated by the Santa Barbara Municipal Code to protect residents from the public nuisances attributable to the sale of alcohol and to promote a healthy and safe business environment in the City of Santa Barbara.

WHICH BUSINESSES ARE REGULATED?



Off-Sale. The City's alcoholic beverage regulations apply to both new and existing retail business with a Type 20 or Type 21 Alcoholic Beverage Control (ABC) License that conduct retail sales of beer, wine, and distilled spirits for consumption off the premises. Typical uses include liquor stores, beer and wine stores, convenience markets, mini-markets/service stations, supermarket, neighborhood markets, and retail sales establishments.



On-Sale. The City's alcoholic beverage regulations do not apply to on-sale alcohol establishments such as a restaurant, bar, or alcohol beverage manufacturers such as a winery, brewery or microbrewery that sells alcohol for off-site consumption.

WHAT RULES APPLY?

Businesses legally existing prior to the effective date of the City's ordinance (November 5, 2021) are considered nonconforming (grandfathered) and may be continued, repaired, and maintained, subject to the operational requirements listed in the table below. The right to continue may be revoked or revised; and if revoked, a Conditional Use Permit is needed in order to continue the sale of alcohol.

Operational Requirements Applicable to Existing Establishments

1. The establishment cannot create a public nuisance
2. The use cannot be discontinued (use ceases for 12 consecutive months or ceases to be licensed by the California Department of Alcoholic Beverage Control – ABC)
3. The establishment cannot violate the Municipal Code or other applicable laws or regulations
4. Substantial modifications to the mode or character of operation cannot take place including, but not limited to:
 - A change in activity so that ABC requires a different type of license.
 - An increase in floor area or shelf space devoted to the display of alcoholic beverages
 - Extending the hours of operation
 - A change in ownership or transfer of an ABC license, which includes new owners or licensees added to the establishment
 - Changes to the conditions provided under an existing Conditional Use Permit
 - Changes from the License Applications submitted to the ABC

HOW DOES THE PROCESS WORK?

Conditional Use Permits are a type of discretionary land use approval. The Planning Commission will approve, conditionally approve, or deny applications for a Conditional Use Permit after a noticed public hearing and consideration of the findings listed in the Municipal Code. For more information on the development review process see the [Planning Application Guide](#).

CONDITIONS OF APPROVAL

The Planning Commission may impose conditions on the use of the property such as limiting the hours of operation, restricting outdoor uses, or requiring site improvements to limit impacts on adjacent lots.

BEFORE YOU APPLY

A Pre-Application review is mandatory to discuss staff support of your proposal before you apply. Please refer to the [Pre-Application Review](#) handout for further details.

TIMELINE FOR APPROVAL

A Conditional Use Permit is just one step in the overall review process for a project. If exterior changes are proposed, separate design review hearings are required. A building permit is required before any construction may commence. Estimate approximately 6 months to go through the process, but it may take longer depending upon the responsiveness of the applicant, and the complexity of the project.

INSTRUCTIONS

After you submit your Pre-Application, you will submit this Supplemental Application information along with a complete [Planning \(PLN\) Application](#). All forms must be completed, signed, and submitted as a PDF attachment to your electronic submittal.



DEVELOPMENT & PERFORMANCE STANDARDS

ALCOHOLIC BEVERAGE RETAIL ESTABLISHMENTS

Alcoholic beverage retail establishments must comply with the following standards:

1. **Location.** New locations must be on a site located with capacity for additional off-sale licenses, as defined by ABC, with low to average crime rates.
2. **Distance.** New locations must be a minimum of 500 feet away from any residentially-zoned lot, public or private elementary or high school, health care facility, social services facility, substance abuse treatment center, religious facilities, park, or playground. A modification can be granted by the Planning Commission to this distance requirement.
3. **Containers.** Alcoholic beverages are limited to the following sizes:
 - **Wine and Wine Coolers.** Must be 750 milliliters or greater in size, except multipacks (minimum four-pack) containing no more than 6% ABV of at least 12 ounces.
 - **Distilled Spirits.** Must be 375 milliliters or greater in size. Miniature, single-serving, travel-sized "airline bottles" and 375 milliliter hip flask containers are prohibited.
 - **Beer, Ale, and Malt Liquor.** Must be greater than 32 ounces in size, except multipacks (minimum three-pack). Kegs two or more gallons are allowed.
4. **Drive-Through Facilities.** May not be sold from a drive-through or a walk-up window.
5. **Product Display.** Alcoholic beverages may not be displayed as follows:
 - From an ice tub, ice chest, ice barrel or similar stand-alone container; or
 - Within five feet from any store entrance or exit; or
 - Adjacent to a checkout counter, unless accessible only by store employees.
6. **Lighting.** Lighting must comply with the Outdoor Lighting Ordinance and adequate lighting must be provided on-site in order to maintain a safe and secure environment.
7. **Noise.** Noise levels must comply with the City's Noise Ordinance. Amplified sound at the property line shall not exceed 60dB(A).
8. **Litter.** Business owners are responsible for keeping their premises clean of litter or debris and must provide adequate trash and recycling receptacles for customer use on-site.
9. **Pay Phones.** Pay phones are not permitted outside of the establishment.
10. **Signage.** There shall be no advertising of alcoholic products, or tobacco and paraphernalia, or similarly controlled products, visible from the exterior of the building.
11. **Window Obstructions.** Windows may not be tinted and no more than 15% of windows and entry doors may be blocked by obstructions such as signs, shelves, racks, or storage.
12. **Drug Paraphernalia.** Selling drug or tobacco paraphernalia is prohibited.



SUBMITTAL INFORMATION

Provide the additional materials in this Supplemental Application and submit it along with all information required for a complete Planning (PLN) Application.

RADIUS MAP

A radius map must be provided for all alcoholic beverage retail establishments requesting new nontransferred licenses.

Radius Map

Radius Maps for alcohol uses must show all land uses to a 500-foot radius of the project site. The distance shall be measured in a straight line without regard to intervening structures or objects from the nearest point on the property to the nearest point on the other property line. Include a list with addresses of the following uses within 500 feet:

1. Residentially-zoned lots or residential uses
2. Public or private elementary or high schools
3. Health care facilities
4. Social services facilities
5. Substance abuse treatment centers
6. Religious facilities
7. Parks or playgrounds

PLANS

Project plans are required for all applications.

Project Plans

See the [Project Plan Submittal Guide](#) for a complete list of the required contents of plan submittals. Indicate location of all parking spaces. Show all exterior lighting, including parking lot and security lighting; location of any noise-generating equipment or operations; trash and recycling areas; and if there are any pay phones. Show adjacent land uses and distances to nearest residences or other sensitive land uses. Note if adjacent to a historic resource. Provide details of any ground disturbance and grading. Include location of any outdoor seating or patios.

Elevations, Exterior Photographs

Provide exterior building elevations and show any proposed changes. If no changes, photos of the existing elevations will be sufficient. Demonstrate there is an unobstructed view of the interior of the premises from the exterior public sidewalk or entrance. Show untinted windows, and no more than 15% of windows and entry doors blocked by interior or exterior obstructions such as signs, vending machines, refrigerators, coolers, shelves, racks, or storage.

Signs

Provide a sign inventory showing there is no advertising of alcoholic products, tobacco, paraphernalia, or similarly controlled products visible from the exterior of the building.

Floor Plans

Provide a floor plan showing the location and type of product display. Include the floor area of all shelf space devoted to the display or sales of any alcoholic beverage. Note that alcoholic beverages may not be sold from an ice tub, ice chest, ice barrel or similar stand-alone container; or within five feet from any store entrance or exit; or from a check-out counter or any display case or rack located adjacent to a checkout counter or checkout waiting area.

SUPPORTING MATERIALS

The following supporting materials are required for all applications.

Applicant Letter

Include a detailed description of the proposed project in a letter addressed to the Planning Commission. Describe the business operation including the aesthetic character of the establishment; proposed hours of operation; if there are different types of operations (e.g., retail sales, dining, entertainment, etc.); the number of parking spaces on site; the method and frequency of employee training; a security plan including number of security personnel; and any special or unique features in which the proposed use is to be conducted.

Local Letter of Public Convenience or Necessity (PCN)

If ABC requires a local letter of public convenience or necessity (PCN), a PCN letter approved by the Chief of Police must be issued prior to the application for a Conditional Use Permit. Submit a copy with the Conditional Use Permit application.

Responsible Beverage Service Training

Provide evidence all *existing* owners, store managers, and their employees have completed the mandatory Responsible Beverage Service (RBS) Training and carry a valid certification while selling alcoholic beverages. All *new* store owners and employees are required to be trained within 60 days from the start of their business or employment.

1 CONDITIONAL USE PERMIT FORM

RECORD INFORMATION

Submittal Date: _____ PLN RECORD # (if known): _____

ABC License Type: _____

PROPERTY INFORMATION

Project Address: _____

Business Name: _____

OWNER'S INFORMATION *(Name of entity if corporation, limited partnership, or limited liability company)*

Name: _____

List other businesses by same owner and with alcohol sales: _____

STORE MANAGER'S NAME *(Name of responsible party during business hours)*

Primary Contact: _____ Cell Phone: _____

Email: _____

OPERATING HOURS

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Opening Time:							
Closing Time:							

TYPE OF BUSINESS

Supermarket Neighborhood Market

Liquor Store Mini-Market/Service Station

Variety/Drug Store Beer & Wine Shop

Other – describe: _____

BUILDING INFORMATION

EXISTING

PROPOSED

	EXISTING	PROPOSED
Total Occupancy Load:		
Number of Parking Spaces:		
Floor Area – Alcohol Display Area	sq. ft.	sq. ft.
Floor Area – Total Tenant Area	sq. ft.	sq. ft.

BUSINESS OPERATION

1. Will there be a kitchen on site to serve food? YES NO
 None Minimal Fast Food Full Meals
2. Will you have entertainment (live or amplified music, shows, games, dancing, etc.)? YES NO
 Describe:
3. Does your business have an outdoor patio or outdoor seating? YES NO
4. If there is an outdoor area, will there be an option to consume alcohol outdoors? YES NO
5. Will there be other retail sales on site? YES NO

ALCOHOLIC BEVERAGES

1. Do you intend to sell a full line of alcoholic beverages? YES NO
 Wine Wine Coolers Beer Malt Liquor Spirits Pre-Mixed Cocktails
2. Will wine or wine coolers be sold in containers less than 750 ml or less than a 4-pack? YES NO
3. Will beer be sold in single cans less than a 3-pack or containers less than 32 ounces? YES NO
4. Will distilled spirits be sold in containers less than 375 ml? YES NO
5. Will miniature, single-serving, travel-sized "airline bottles", or hip flasks be sold? YES NO
6. Will drug or tobacco paraphernalia products be sold? YES NO
7. Will alcohol be displayed within 5 feet of an entry or exit? YES NO
8. Will alcohol be displayed near a check-out counter or checkout waiting area? YES NO
9. Will alcohol be displayed in a stand-alone ice tub, ice chest, ice barrel, or similar? YES NO

SITE & SECURITY

1. Do you intend to install security features? YES NO
 Lighting Surveillance Cameras Security Guard Alarm Other
2. Does your business have a drive-through or walk-up window? YES NO
3. Is the site currently under enforcement or been issued any citations or violations? YES NO
4. Will there be signs visible from the exterior that advertise tobacco or alcohol? YES NO
5. Will there be any pay phones on the exterior of the building? YES NO
6. Will the windows and doors be tinted or blocked by obstructions? YES NO
7. Will exterior lighting comply with the City's Outdoor Lighting Ordinance? YES NO
8. Will exterior equipment be screened and comply with the City's Noise Ordinance? YES NO
9. Will appropriately screened and located trash and recycling enclosures be provided? YES NO

2 CONDITIONAL USE QUESTIONNAIRE

Provide data or other evidence in support of the following findings and explain below, or on a separate piece of paper, adequate justification for your request.

1. Indicate steps taken to reduce the **crime rate or nuisance activities** (public drunkenness, drugs, disturbing the peace and disorderly conduct, and alcohol sales to minors) in the area:

2. How will the **physical characteristics** of the site (lot size, setbacks, or distance from sensitive land use) minimize potential detrimental impacts on surrounding properties:

3. How will the **operating characteristics** (hours, outdoor lighting, or noise-generating equipment) be designed so as to not be a nuisance to properties in the area, particularly residential uses:

4. Specify if adequate **access and off-street parking** are provided to meet the demands of the development without altering the character of the public streets in the area:

5. Describe how the **appearance of the developed site** in terms of the architectural style, general upkeep, parking areas, landscaping, and open space is compatible with the character of the area: