



Board Agenda Item 10

DATE: May 20, 2025

TO: Board of Supervisors

SUBMITTED BY: Paul Nerland, County Administrative Officer

SUBJECT: Determination of Public Convenience or Necessity on Application for Alcoholic Beverage License Type 21 for Chevron Stations, Inc.

RECOMMENDED ACTION(S):

Consider and take action on request for Determination of Public Convenience or Necessity for application for an Alcoholic Beverage Control Type 21 license filed by Chevron Stations, Inc. to be used at Chevron Extra Mile convenience store located at 25032 W. Dorris Avenue, Coalinga, CA 93210.

Chevron Stations, Inc. (the Applicant) is applying for a Type 21 license (off-sale general) to be used at 25032 W. Dorris Avenue, Coalinga, CA 93210. The Department of Alcoholic Beverage Control (ABC) has determined that an undue concentration of alcoholic beverage licenses exists in Census Tract 79.03, where this business is located. However, Business and Professions Code sections 23958 and 23958.4 provide that even if the census tract or County has an undue concentration of alcoholic beverage licenses, ABC may issue a license if the local governing body determines that public convenience or necessity would be served by the issuance of the license. Six off-sale licenses are allowed in census tract 79.03. There are currently eight registered licenses. The Applicant currently has a type 20 license (off-sale beer and wine) and is applying to convert to a type 21 license; therefore, approval of this application will not increase the number of off-sale licenses in this census tract. This item pertains to a location in District 4.

ALTERNATIVE ACTION(S):

If your Board does not make a determination regarding public convenience or necessity within 90 days of notification of this request, ABC may still issue the license if the applicant shows ABC that public convenience or necessity would be served by the issuance, pursuant to Section 23958.4(b)(2) of the Business and Professions Code.

FISCAL IMPACT:

There is no increase in Net County Cost associated with the recommended action. A Board approved fee of \$235 to cover the cost of mailing notices to property owners was paid by the applicant.

DISCUSSION:

The Applicant filed paperwork with ABC applying for a Type 21 license (off-sale sales of beer, wine and distilled spirits for consumption off the premises where sold). The business where the license will be used is an existing Chevron Extra Mile convenience store located on 25032 W. Dorris Avenue, Coalinga, CA 93210, which has sold beer and wine since 1993.

The Applicant represents that in the past decade, "Ready to Drink" (RTD) mixed beverages made with distilled spirits, such as White Claw Vodka Soda or Truly Lime Margarita, have grown in popularity. The Applicant represents that even though the Alcohol-by-Volume (ABV) for these RTD mixed beverages is about same as beer and wine products, ABC requires a Type 21 license to sell them. The Applicant represents that while the RTD product is the main driver for the request, there will also be a small inventory of distilled spirit bottles.

The Applicant's location is in Census Tract 79.03. ABC has determined that an undue concentration of off-sale alcoholic beverage licenses exists in this Census Tract. Six off-sale licenses are allowed in this census tract, and there are currently eight registered licenses. The Applicant currently has a type 20 license (off-sale beer and wine) and is applying to convert to a type 21 license; therefore, approval of this application will not increase the number of off-sale licenses in this census tract.

Sections 23958 and 23958.4 of the Business and Professions Code allow ABC to issue an off-sale license despite an undue concentration of off-sale alcoholic beverage licenses if the local governing body of the area in which the applicant premises are located, or its designated subordinate office or body, determines within 90 days of notification of a completed application that public convenience or necessity would be served by the issuance. If the local governing body, or its designated subordinate officer or body, does not make such a determination within the 90-day period, then ABC may still issue a license if the applicant shows ABC that public convenience or necessity would be served by the issuance.

County policy requires the following three criteria be considered before a determination of public convenience or necessity can be met:

1. The issuance of a license would not tend to create a law enforcement problem and increase the level of crime activity.
2. The issuance of a license would provide a needed service to the community, and that without this use there would be an inconvenience to the community.
3. The issuance of a license will have a positive impact on the local economy, including the creation of new jobs.

The Applicant's written response to the above criteria is attached. The Applicant will also be available to present their case to your Board at today's hearing.

Notices of today's hearing were sent to neighboring property owners located within 600 feet of the Applicant's premises.

A representative from the Sheriff's Department is available to provide a statement regarding any local law enforcement impacts.

ATTACHMENTS INCLUDED AND/OR ON FILE:

Census Tract 79.03 Map
Applicant Letter
ABC License Application (Form ABC-245)
Presentation

CAO ANALYST:

Ron Alexander