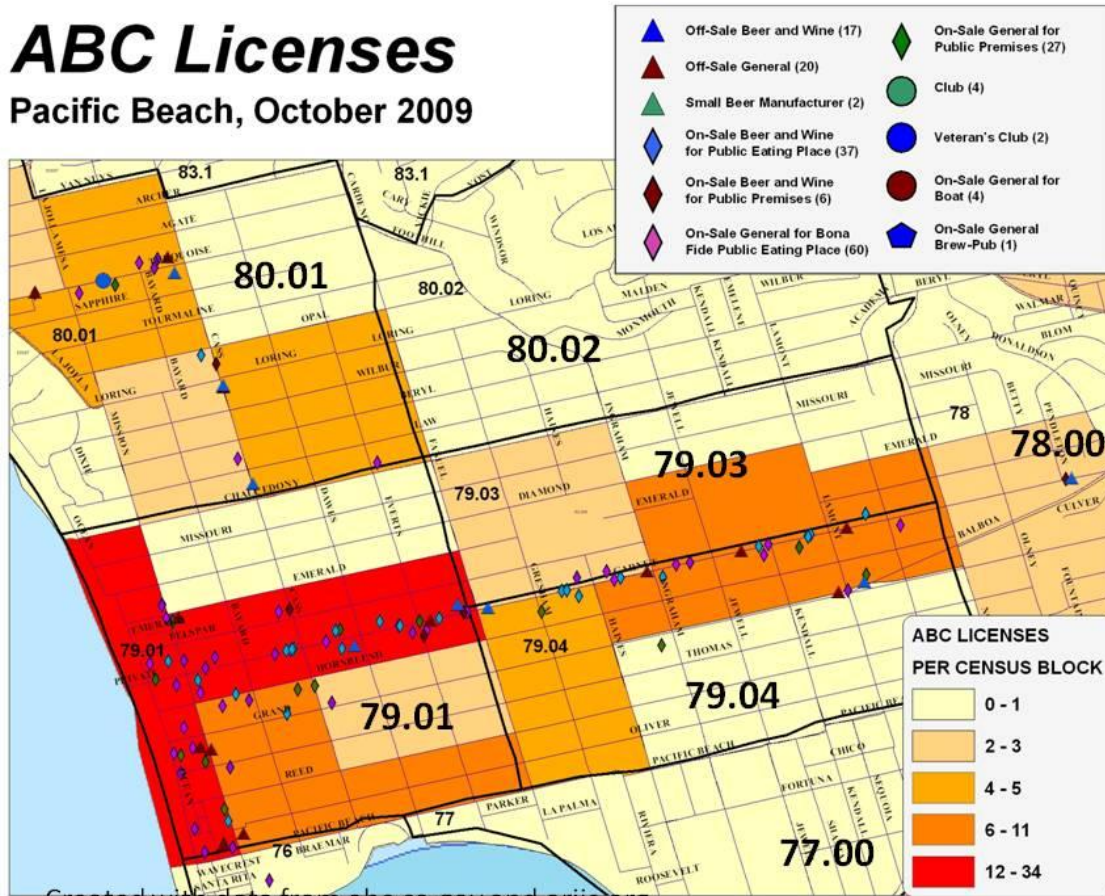


ABC Licenses

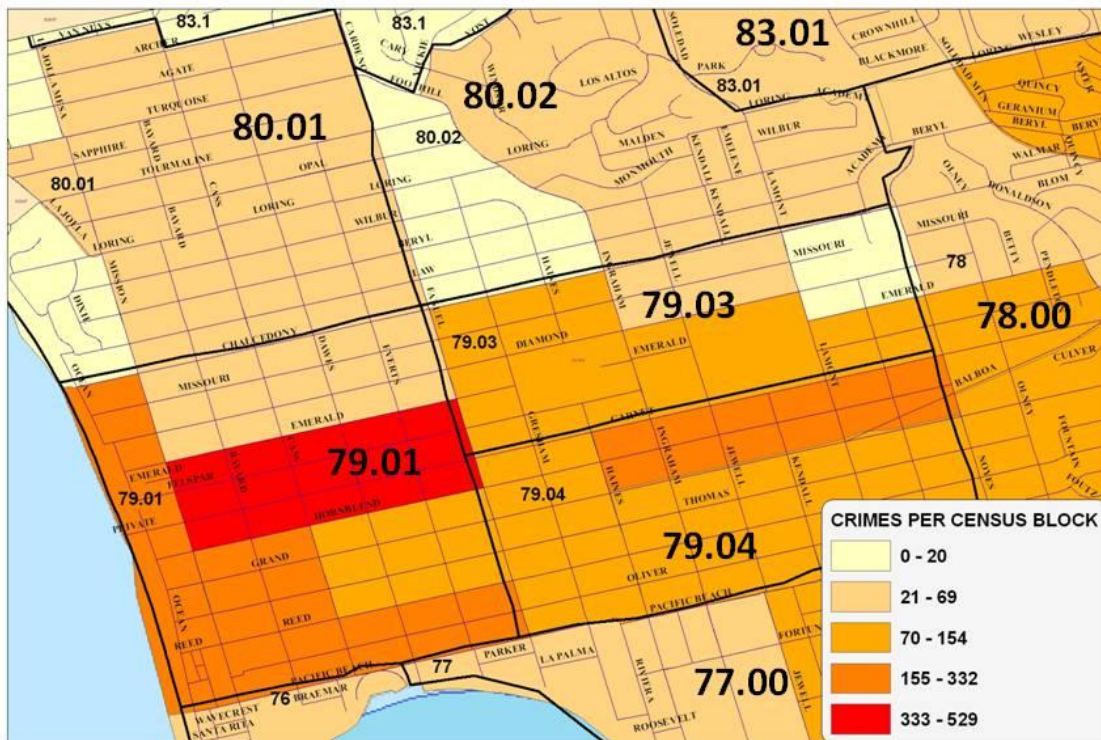
Pacific Beach, October 2009



Created with data from abc.ca.gov and arjis.org

Alcohol Crimes: Pacific Beach

Per Census Block: November 2008 - October 2009



Created with data from abc.ca.gov and arjis.org

Pacific Beach Census Tracts – Alcohol Licenses and Crime Data for 2008

Pacific Beach Census Tract	Alcohol Licenses ¹	License Types ²	Alcohol-related Crime ³		General Crime ⁴		DUI ⁵ (In 2009)
			Crimes	% of City Tract Average	Crimes	% of City/County Average	
79.01 Garnet, Mission	64 Total (10 Allowed)	9 Bars 44 Restaurants 11 Stores	1176	1916%	1203	450% City 543% County	
80.01 Turquoise, Cass	20 Total (13 Allowed)	3 Bars 9 Restaurants 8 Stores	104	169%	190	86% County	
79.04 Garnet	18 Total (11 Allowed)	2 Bars 12 Restaurants 4 Stores	230	375%	397	179% County	
79.03 Garnet	11 Total (8 Allowed)	6 Restaurants 5 Stores	211	344%	302	136% County	
78.00 Eastern	10 Total (11 Allowed)	2 Bars 4 Restaurants 4 Stores	195	318%	412	186% County	
77.00 Crown Point	5 Total (13 Allowed)	1 Bar 2 Restaurants 2 Stores	269	438%	343	155% County	
80.02 North-central	None		11	18%	62	28% County	
83.01 Northeast	None		2	3%			
Combined PB Census Tracts 79.01, 80.01, 79.04, 79.03, 78.00, 77.00	128 Total (66 Allowed)	17 Bars 77 Restaurants 34 Stores					591 (in 92109 zip code)

¹ Data provided by SDPD Vice Sgt. Howard LaBore, July, 2008. Licenses “allowed” is per state guidelines.

² Data provided by SDPD Vice Sgt. Howard LaBore, July, 2008.

³ Data from Joe Dalton, Crime Analyst, SDPD

⁴ Data from Joe Dalton, Crime Analyst, SDPD. General crime is Part I Crime plus Part II Arrests and includes murder, rape, robbery, assault, burglary and motor vehicle theft.

⁵ DUI in 2009. Data from <http://arjis.org>. DUI data is for all of zip code 92109 (Pacific Beach and Mission Beach).

Pacific Beach Alcohol License Evolution

These are some examples of past and present businesses at same location in Pacific Beach. Over time, restaurants that used to close at 10 pm have been replaced with restaurants that serve full spirits until 2:00 am. Some have also expanded (next door, decks, patios) to serve more patrons.

PAST	PRESENT (June 2010)	Current License	Closes
Aljones (Mexican restaurant)	PB Bar and Grill	Restaurant, full spirits	2:00 am
BBQ Pit	Bub's Dive Bar and Grill	Restaurant, full spirits	2:00 am
Bangkok Thai & Vegetarian Cuisine	Dirty Birds	Restaurant, beer/wine	2:00 am
Guilio's (Italian restaurant)	Nick's at the Beach	Restaurant, full spirits	1:00 am
Hooters	Beachwood	Restaurant, full spirits	?
Improv	Moondoggies	Restaurant, full spirits	1:00 am
La Chamine (French restaurant)	RT's Longboard Grill	Restaurant, full spirits	1:30 am
Moonlight Café (Chinese restaurant)	Bare Back Grill	Restaurant, full spirits	1:00 am
Night Owl Dry Cleaners	Expansion of Tavern at the Beach	Bar, full spirits	2:00 am
Pizzeria UNO	Miller's Field Plates & Pints	Restaurant, full spirits	2:00 am
Sizzler	PB Ale House	Restaurant, brewery	2:00 am
TD Hayes	PB Shore Club	Restaurant, full spirits	2:00 am
Victory Lanes Bowling	Typhoon Saloon & Fred's Mexican Café	Restaurant, full spirits	2:00 & 1:30 am
Woolworths	Johnny V	Restaurant, full spirits	2:00 am
Yoli's (Mexican restaurant)	Cabo Cantina	Restaurant, full spirits	12:00 am

WHAT'S ON TAP FOR PB?

Pending New and Modified PB Alcohol Licenses*

<u>Establishment Name</u> (All are Restaurants)	<u>Request</u> ¹
1. PB Shore Club	Modification 1,700 sq ft deck expansion
2. PB Ale House	Modification increase in deck serving hours to 1 am
3. Dirty Bird's	Modification from 41 to 47 (full spirits)
4. Mama Mias	Expansion – wine bar?
5. Woodstock Pizza	Modification expansion serve alcohol on sidewalk patio to 12 am
6. Quik Corner	Move license location next door
7. Great Plaza Buffet	New 41 license
8. Olde City Grill	Modification increase alcohol serving hours to 1 am, serve pitchers, add dedicated bar
9. Fig Tree Café	New 41 license
10. Cabo Cantina	Increase hours of serving to 2 am
11. The Dog	Move from 4479 Everts St to 1253 Garnet Ave. Ste A.
12. Blazing Grill	New 41 license
13. Diego's Finest	New 41 license

Recently² Granted New and Modified PB Alcohol Licenses

1. Bare Back Grill	Change from 41 to 47, increase serving hours to 1 am
2. Mama Mia's	New 41 License
3. Bub's Dive Bar	41 to 47, expansion of premises
4. Hooters	41 to 47, expansion of premises
5. Zanzibar	New 41 License

¹License Types:
41 = restaurant, beer and wine
47 = restaurant, full spirits

² 2005 to 2010

*This list has been collected through observation only and is not official nor should it be considered comprehensive

What is Wrong with Alcohol License Policies and Why the Community Has No Control

- 1. ABC is sole decision maker. Community has no control over new licenses and condition modifications, but must bear the brunt of the associated negative impacts**
- 2. ABC regulations allow restaurants to function like bars after 9 pm**
- 3. If a new restaurant license is granted with conditions that prevent it from operating like a bar, those conditions can be modified/removed after one year with no public notice or input**
- 4. Despite high crime and over-concentration, new PB licenses and condition relaxations continue to be approved by ABC**
- 5. Existing PB restaurant licenses have few conditions and are allowed to function like bars**
6. Licenses freely transferred to different owners, with different business models
7. No consideration for cumulative effect of adding additional licenses and modifications
8. Lack of public notice of pending applications
9. Lack of public input and influence in license decisions
10. The ABC protest process is so burdensome that it generally precludes public participation
11. ABC website database and SDPD Vice turn-over make it impossible for public to fully monitor license applications, decisions, conditions imposed or relaxed, history of licenses
12. Insufficient ABC and SDPD resources for effective monitoring of business operations, conditions compliance, food/alcohol ratios and investigations
13. Complaints to SDPD about alcohol-licensed establishments are not sent to ABC
14. Penalties for violations are seldom imposed and are often not sufficient to be a deterrent.
- 15. Even when police protest, license may be approved by local ABC**
- 16. Even when police and local ABC protest, license is likely to be approved by an ABC administrative law judge**
- 17. Although state policy sets a limit of one license per 2,000 residents, the reality in PB is there is NO limit. (PB has about one license for every 312 residents)**

What Other Communities Have Done and What Pacific Beach Can Do

Other communities have created local control through a land-use policy, called a conditional-use permit (CUP), that is used to determine where and under what conditions alcohol-licensed businesses can operate. Some examples:

Fullerton

In 2008, in response to increased crime, public drunkenness, high numbers of DUIs, Fullerton realized they were **spending \$1.5 million annually to provide security and enforcement to a business district that was only bringing in \$560,000 in sales tax revenue.** The city council enacted noise limits and a conditional use permit (**CUP**), for restaurants that transform into nightclubs after 10 pm. Fullerton Police Sgt. Linda King. "There's so many places close to each other, people are doing pub crawls from place to place." Police say most of those arrested on suspicion of being intoxicated, urinating in public, vandalism or assault are not from Fullerton.

(Fullerton Aims to Rein in Rowdy Revelers, Dave McKibben, LATimes, Mar.16, 2008)

Oxnard

In the early 1990's, the city (Oxnard) had almost 300 liquor sales outlets, about one for every 525 residents. **(PB has about one license for every 312 residents)** Oxnard created a **CUP** for alcohol licensed businesses in order to get local control and reduce crime. "The City (Oxnard) has embraced the fact – supported by dozens of studies – that a concentration of bars, liquor stores, and restaurants selling alcohol brings crime." Now the city requires more up-front compliance – as many as 46 conditions – compared with as few as four or five a decade ago." Former police commander and now Oxnard City Councilman Bran MacDonald, went so far as to say in a paper titled, "Where Alcohol Policy Transformed a City," **that the city's crime rate is less than half of what is was 20 years ago**, in large measure because of changes in its policies regarding the sale of alcohol. *(Oxnard Limits Liquor Licenses to Reduce Crime, Scott Hadly, Ventura County Star, June 28, 2009.)*

Ventura

In October of 2005, the Ventura City Council approved an Alcohol Sales Permit Ordinance. The ordinance contains a **CUP**, whereby conditions can be imposed on alcohol-licensed businesses and enforcement can take place if there are violations of the conditions. The ordinance also funds a dedicated police officer for management, monitoring, and enforcement. Alcohol-licensed businesses pay a sliding-scale fee to cover the cost of this police officer. Ventura also implemented a voluntary Responsible Retailer Program, to train alcohol-licensed businesses in a safe and responsible business practices. As a result of implementing these policies, **Ventura has seen dramatic reductions in arrests at alcohol businesses (-62%), calls for service related to alcohol businesses (-42%) and DUI related crashes (-31%).**

What PB Can Do:

If Pacific Beach wants local control over alcohol licenses, the community can urge the San Diego City Council and Mayor to establish a Conditional Use Permit (CUP) ordinance for alcohol-licensed businesses in Pacific Beach. The community can also urge these city officials to establish a sliding-scale annual fee on alcohol-licensed businesses to fund a dedicated police officer for enforcement, monitoring and working with the businesses to ensure good practices.

Pacific Beach Planning Group – www.pbplanning.org

Send your comments to info@pbplanning.org