

MAKING OUTDOOR DINING SAFE AND HEALTHY



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Local restaurants are taking advantage of expanded dining footprint options as a result of sweeping changes to Alcoholic Beverage Control (ABC) regulations in 2020 related to the COVID-19 pandemic. These regulatory changes allow restaurants with an alcohol license to expand their footprint into public spaces such as sidewalks, parking lots, alleys and streets. These dining areas are popular among business owners and patrons alike, but can also put customers, staff and the public at risk unless sensible standards are established and maintained.

Some of the risks include:

- Increased access to alcoholic beverages by youth due to ease of access to tables by passersby.
- Alcohol over service due to insufficient oversight by staff.
- Parking impacts in adjacent neighborhoods.
- Placing customers and staff too close to vehicle traffic due to insufficient protective barriers.
- Loud noise and other nuisance activities which disturb nearby residential areas.

All of these risks can be mitigated by establishing sensible standards.

SOLUTION #1: SUFFICIENT BARRIERS AND FENCING

One of the most important standards to consider is related to safety fencing and barricades. It is important to separate dining areas from vehicles with a barrier substantial enough to offer diners protection if a vehicle leave its designated area on the street. Fencing is also important for restaurants since it limits the number of locations someone can enter or exit the expansion area, making it easier to monitor the premise and maintain an orderly house as required by ABC. Identifying an area controlled by a restaurant is also important for law enforcement. Should an incident arise, a fence can make it abundantly clear what tables and outdoor spaces a restaurant is responsible for and which areas are outside of its jurisdiction. Barriers should be at least four feet tall, but it's recommended they be six feet or taller to reduce the temptation of jumping over it or passing alcohol to others on the outside, such as minors.

SOLUTION #2: ADEQUATE MONITORING OF OUTDOOR AREAS

Most outdoor dining areas will need to have one or more entrances for safety reasons. These additional entrances also increase the chances of someone entering the property unmonitored by staff. Ensuring there are greeters, hosts/hostesses, security or other personnel monitoring each entrance will increase safety and ensure potential problems are prevented. Sufficient monitoring also ensures that a patron who has overconsumed alcohol is more quickly identified, cut off from further drinking and offered a means to get home safely before they attempt to get behind the wheel and endanger fellow travelers.





SOLUTION #3: USE CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) STANDARDS

CPTED is an evidence-based, internationally recognized solution that makes places significantly safer through cost effective means. CPTED relies on altering the built environment by improving features like lighting and the trimming of bushes in order to eliminate safety issues and improve visibility of surrounding areas. It also works to add other features such as benches and community art in order to increase foot traffic and increase the natural monitoring of the area by those using or passing through the area. This will increase safety as well as improve the chances they patronize local businesses. Most law enforcement agencies and many local nonprofits have someone trained in CPTED who can conduct a site review and make recommendations that will reduce crimes and address safety concerns.



SOLUTION #4: COMPLIANCE CHECKS

We know that it only takes a handful of non-compliant businesses to create significant problems for neighboring businesses and residents alike. Regular compliance checks can help by:

- While ABC, code compliance and local law enforcement do conduct compliance checks, they are often in response to a complaint. Having regular checks through a local compliance officer and/or business improvement district can address concerns sooner before they get out of hand.
- Keeping business owners informed of the latest best practices and expectations.
- Supporting businesses struggling with compliance while ensuring the health and safety of patrons.
- Ensuring current public health orders are communicated to staff and patrons as needed.



SOLUTION #5: OUTDOOR DINING HOUR LIMITATIONS

Outdoor dining can be noisier for neighbors, especially if there is music or live entertainment. Parking is an additional concern since outdoor dining often reduces parking options. Patrons may opt to park in local neighborhoods, creating additional noise concerns for nearby residents when patrons return to their vehicles. Therefore, it's reasonable to require outdoor dining areas to close by midnight or earlier to reduce the impact on local residents.

SOLUTION #6: LOWER VEHICLE SPEED LIMITS

Curbside dining and dining in former travel lanes shorten the distance between moving vehicles and patrons. Reducing the speed of traffic to 25 mph or lower will increase safety for all street users as well as restaurant patrons.

ACTION STEPS

- Contact _____ (IPS, regional provider, etc.) to find out more about CPTED and other solutions.
- Support policies that promote best business practices, like the ones listed in this document, that address public health and safety concerns.
- Learn more about CPTED: <https://www.cptedtraining.net>
- Report restaurants that are not complying with best practices and endangering customers, <https://www.sandiegocounty.gov/coronavirus.html>.
- Work with local organizations concerned with issues related to alcohol misuse, <https://publicstrategies.org/>.
- Follow the Centers for Disease Control and Prevention guidelines to protect yourself and others from exposure to COVID-19, <https://www.cdc.gov/>.

REFERENCES

1. <https://www.abc.ca.gov/>
2. <https://hartfordhealthcare.org/about-us/news-press/news-detail?articleId=29111&publicid=47>
3. <https://www.abc.ca.gov/education/rbs/>

