CAPITOLA POLICE DEPARTMENT
CITY OF CAPITOLA
FOUNDED 1875
INCORPORATED 1949

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June 3, 2020

Alcoholic Beverage Control – Salinas District Office
1137 Westridge Parkway
Salinas, CA 953907

Re: Capitola Village Street Dining

To Whom It May Concern:

On March 19, 2020, the State Public Health Officer and Director of the California Department of Public Health issued an order requiring most Californians to stay at home to disrupt the spread of COVID-19 among the population (Executive Order N-33-20). On May 26, 2020, Santa Cruz County Health Officer issued a modification to the Shelter-in-place order, aligning Santa Cruz County more closely with the State Shelter-in-place order. In addition, the State approved a variance allowing dine-in restaurants to re-open with modifications.

On June 3, 2020, the City of Capitola passed an Emergency Order allowing existing restaurants to have outdoor dining. The outdoor dining will be allowed on public and private property parking lots. Outdoor dining will be allowed through a City issued Temporary COVID19 Outdoor Activities and Encroachment Agreement. The City is currently taking in applications for Temporary COVID19 Outdoor Activities and Encroachment Agreements.

The following conditions are included in the City's guidance document:

> Food and Beverages. The service of alcoholic beverages within the temporary dining area requires the restaurant have an active conditional use permit to serve alcohol, and shall comply with the following requirements:
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> > a) The outside dining area shall be situated adjacent to and abutting the indoor restaurant which provides it with food and beverage service. If located in a parking area, the parking spaces should be adjacent to the restaurant with existing pedestrian circulation maintained on the site, to the extent possible. Alternative locations which are adjacent but not

connected to the restaurant may be approved by the Community Development Director.

b) The outside dining area shall be clearly separate and delineated from the areas of the sidewalk or parking area. Temporary structures such as railings, stanchions, and planters shall relate to the architectural design of the primary restaurant in color, materials, and scale. The California Department of Alcohol Beverage Control does not have a minimum height limit for the infrastructure delineating the dining area.

c) One or more signs shall be posted during hours of operation stating that alcohol is prohibited outside of the dining area.

d) The applicant shall obtain all licenses required for on-site consumption of alcoholic beverages from state authorities for the expanded dining area prior to serving alcohol to patrons.

e) The outside dining area shall receive all necessary licenses for on-site consumption of food from County of Santa Cruz Health Department.

As a City, we are prepared and excited to be moving into Stage 2.5 of the State of California Resilience Roadmap. To support our restaurants, I am respectfully requesting an amendment to the conditions of current ABC licensees allowing operations within the above stated guidelines. Sergeant Sarah Ryan from my department has been designated as the supervisor responsible for monitoring compliance during this temporary condition authorizing outdoor dining in the City of Capitola.

Should you have any questions or concerns please do not hesitate to contact me directly at 831 475-4242 x213, or via email at tmcmanus@ci.capitola.ca.us.

Respectfully,

Terry McManus
Chief of Police

AD/twm

cc: Katie Herlihy, Capitola Community Development Director