[Urging the California Department of Alcohol Beverage Control to Deny Formula Retail Food and Drink Establishments That Do Not Traditionally Sell Alcohol]

Resolution to urge the California Department of Alcohol Beverage Control to deny alcohol license applications of Formula Retail food and drink establishments that do not traditionally sell alcohol in San Francisco.

WHEREAS, The San Francisco Police Department (SFPD) defines “non-traditional alcohol retail businesses” as those with Formula Retail Uses as defined in section 303.1 of the San Francisco Planning Code, that traditionally do not have a sales, service, or consumption of alcoholic beverage program in San Francisco as part of their business operation and/or that their existing business model has established an expectation to the public and their customers that Alcoholic beverages would not be or have not been available; and

WHEREAS, The intent of the resolution is for the California Department of Alcoholic Beverage Control to delay granting alcohol licenses to corporate chain stores and/or franchises in San Francisco until a public health and safety analysis has been completed and necessary municipal regulations are put in place; and

WHEREAS, According to the California Department of Alcohol Beverage Control as of January 8, 2016, there are 3,809 retail businesses selling alcohol in San Francisco’s 46.9 square miles, making San Francisco the most alcohol retail-dense county in California; and

WHEREAS, Alcohol consumption is a major contributor to premature mortality in San Francisco, especially among males. The San Francisco Department of Public Health (SFDPH) believes that interventions to avert alcohol-related harms should be taken at the population level and deserve the same attention that is given to other major risk factors, such as smoking or obesity; and
WHEREAS, Recent studies using advanced analytical methods by Toomey and colleagues (2007) show that a higher density of alcohol outlets is related to increased rates of crime, particularly homicides and assaults; and

WHEREAS, Treno and colleagues (2003) evaluated the effect of alcohol outlet density on driving after drinking among 15- to 20-year-olds, finding that higher alcohol outlet density is associated with greater prevalence of driving after drinking; and

WHEREAS, According to the Centers for Disease Control and Prevention, an average of 500 underage youth die annually from alcohol-related causes in California; and

WHEREAS, Preliminary findings from recent studies conducted by the University of California San Francisco (UCSF) at San Francisco General Hospital (SFGH) Trauma Center demonstrate that approximately 8% percent of alcohol-related trauma cases die from their injuries. Of a sample of 300 moderate-to-severe traumas, 59% occurred in patients with blood alcohol levels of .08 and above. The study found that patients with a positive blood alcohol level experienced more severe traumas, and therefore faced a greater risk of death; and,

WHEREAS, Analysis revealed that the highest rates of alcohol-related injuries treated at the Trauma Center occurred in San Francisco census tracts with a high density of alcohol outlets; and

WHEREAS, 33% of all non-vehicular accidental death victims had significant levels of alcohol in their blood; alcohol was a factor in 32.7% of all vehicular fatalities in San Francisco; alcohol also was a factor in 25% of all suicides and 31.8% of all homicide victims tested by the SFME; and

WHEREAS, The Center for Open Recovery estimates there are 50,000 individuals living in long-term recovery in San Francisco who frequent establishments that do not sell alcohol and are currently designated as "Non-Traditional" businesses; and
WHEREAS, Conservative estimates conclude that the City and County of San Francisco bears the cost of $17.1 million annually for the medical care of people with alcohol-related illnesses; alcohol abuse treatment and prevention; alcohol-related emergency medical transport; as well as disability and death due to alcohol use; and

WHEREAS, The total cost to California of underage drinking is estimated at over $6.7 billion annually; and

WHEREAS, The SFPD projects that approving liquor licenses for Non-Traditional alcohol retail businesses will contribute exponentially to the already extremely high density of alcohol outlets, and therefore cause significantly more alcohol-related health and safety harms in San Francisco; and

WHEREAS, The San Francisco Prevention Coalition, San Francisco Alcohol Policy Partnership Working Group, San Francisco Friday Night Live and a broad range of community leaders support the denial of the non-traditional alcohol licenses based on research and evidence reviews provided by experts in alcohol prevention from SFPD, UCSF, and SFDPH; and

WHEREAS, States, cities and counties have the power to place a legal limit on the number of alcohol establishments in a neighborhood, city or county as a strategy to reduce alcohol consumption and alcohol-related health and safety problems among the general population; now, therefore, be it

RESOLVED, The Board of Supervisors of the City and County of San Francisco strongly urges the California Department of Alcohol Beverage Control to deny licenses to non-traditional alcohol retail businesses in San Francisco; and, be it

FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to transmit copies to the California Department of Alcohol Beverage
Control, California Business, Consumer Services and Housing Agency, and the Office of
Governor Edmund G. Brown Jr.
Resolution to urge the California Department of Alcohol Beverage Control to deny alcohol license applications of Formula Retail food and drink establishments that do not traditionally sell alcohol in San Francisco.

March 15, 2016 Board of Supervisors - CONTINUED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

March 22, 2016 Board of Supervisors - CONTINUED
Ayes: 10 - Avalos, Breed, Campos, Cohen, Kim, Mar, Peskin, Tang, Wiener and Yee
Excused: 1 - Farrell

April 05, 2016 Board of Supervisors - CONTINUED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - AMENDED, AN AMENDMENT OF THE WHOLE BEARING NEW TITLE
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee

April 12, 2016 Board of Supervisors - ADOPTED AS AMENDED
Ayes: 11 - Avalos, Breed, Campos, Cohen, Farrell, Kim, Mar, Peskin, Tang, Wiener and Yee
I hereby certify that the foregoing Resolution was ADOPTED AS AMENDED on 4/12/2016 by the Board of Supervisors of the City and County of San Francisco.

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I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.