

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE:	Discussion of Ordinance No. 745 - Amending Chapter 8.12 Rules for Use of City of Shoreline Park Facilities to the Shoreline Municipal Code, Specifically Section 8.12.500 Alcoholic Beverages, to Include the Kruckeberg Botanic Garden		
DEPARTMENT:	Parks, Recreation and Cultural Services		
PRESENTED BY:	Eric Friedli, PRCS Director		
ACTION:	<input type="checkbox"/> Ordinance	<input type="checkbox"/> Resolution	<input type="checkbox"/> Motion
	<input checked="" type="checkbox"/> Discussion	<input type="checkbox"/> Public Hearing	

PROBLEM/ISSUE STATEMENT:

In 2012 the City Council adopted Ordinance No. 647 that added the Terrace at Richmond Beach Saltwater Park and the Amphitheater at Cromwell Park to the list of park locations in the City where the sale and consumption of beer and wine is permitted with the approval of the Parks, Recreation and Cultural Services (PRCS) Director. In 2015, the Executive Director of the Kruckeberg Botanic Garden (KBG) Foundation requested permission to serve alcohol at a fund-raising event at the Garden. Her request was denied because it was not allowed under the current Shoreline Municipal Code (SMC), Section 8.12.500.

Upon review of the history of the PRCS Board and City Council process in 2012, staff determined that KBG is consistent with the criteria used in 2012 to select appropriate sites for permitting alcohol. KBG is easily contained and controlled and permitting alcohol would have limited impacts on other park patrons or surrounding neighbors. It is a desirable park for special events that include alcohol. Proposed Ordinance No. 745 would amend SMC 8.12.500 to add KBG to the list of park locations where beer and wine are permitted.

RESOURCE/FINANCIAL IMPACT:

No financial impacts are expected from this action.

RECOMMENDATION

No action is required by the City Council. This meeting will provide an opportunity for Council to ask specific questions and provide staff direction. Adoption of proposed Ordinance No. 745 is scheduled for June 6, 2016.

Approved By: City Manager **DT** City Attorney **MK**

BACKGROUND

Shoreline Municipal Code (SMC) Section 8.12.500 identifies the Shoreline park locations where alcohol is permitted. It also states what type of alcohol may be consumed in these locations. Specifically, it states:

8.12.500 Alcoholic beverages.

No person shall possess any alcoholic beverage or liquor in any city park area, including unopened beverage containers, except the sale and/or consumption of beer and wine is permissible in designated areas approved by the director at the following locations:

- A. Indoors at the Richmond Highland Recreation Center;
- B. The Terrace at Richmond Beach Saltwater Park;
- C. The Amphitheater at Cromwell Park.

All events that include sale or consumption of beer and wine must have an alcohol use permit issued by the department, comply at all times with occupancy limits designated for the permit areas, and conform to permit and other requirements of the Washington State Liquor Control Board and state law. [Ord. 647 § 1, 2012; Ord. 195 § 1, 1999]

Prior to 2012, the only City park facility where alcohol was permitted was indoors at the Richmond Highland Recreation Center. In 2012 the Council requested that the PRCS Board review the City's policy regarding alcohol use in the City's parks and facilities and consider the options for expanding the number of locations where alcohol is allowed for special events with a permit.

The PRCS Board engaged in a lengthy review and discussion around allowing alcohol in Shoreline's parks. In reviewing areas in the City's parks that are most conducive to permitting alcohol use for special events, staff considered areas that are:

- Easily contained and controlled,
- Would have limited impact on other park patrons or surrounding neighborhoods, and
- Areas that would be most desirable for special events involving alcohol.

For areas that were not as easily segregated by natural screening, staff considered the feasibility of requiring park renters to physically segregate areas where alcohol would be served with temporary fencing, similar to what is seen at beer/wine gardens.

The PRCS Board discussed this issue at four separate Board meetings in February, March, August and September, 2012. While the opinion of the Board was divided, there was majority approval to recommend Council approval of the use of alcohol at small-scale events at no more than three approved locations. A licensed server is required, and current policy limitations on occupancy and hours apply. The Board unanimously rejected the recommendation of alcohol at large-scale events that exceed the current policy on occupancy limits. The City Council approved the PRCS Board's recommendation in October 2012 and expanded the consumption of alcohol at the current three locations.

Since the change in 2012, there have been only 11 permits issued for alcohol at the three allowed park locations. Parks maintenance staff report that there have been no maintenance impacts, and there are no records of citizen complaints about these events. Most of the events have been weddings or family reunions. Celebrate Shoreline includes a beer and wine garden each year in August at Cromwell Park.

The number and amount of permit fees generated for events involving alcohol in City parks for the last three years is below:

- 2013 – Five (5) alcohol rentals generated \$1,679 in fees
- 2014 – Three (3) alcohol rentals generated \$1,337 in fees
- 2015 – Three (3) alcohol rentals generated \$1,100 in fees

DISCUSSION

In 2015, the Executive Director of the Kruckeberg Botanic Garden (KBG) Foundation requested permission to serve alcohol at a fund-raising event at the Garden. Her request was denied because it was not allowed under the current the current code. Staff reviewed the regulations of alcohol permits in city parks and the history of the PRCS Board and City Council process in 2012 and determined that KBG is consistent with the criteria used in 2012 to select appropriate sites for permitting alcohol. KBG is easily contained and controlled and permitting alcohol would have limited impacts on other park patrons or surrounding neighbors. It is a desirable park for special events that include alcohol. Proposed Ordinance No. 745, which is attached to this staff report as Attachment A, would amend SMC 8.12.500 to add KBG to the list of park locations where beer and wine are permitted.

PRCS Board Public Hearing and Recommendation

On April 28, 2016, the PRCS Board voted to recommend that the City Council approve proposed Ordinance No. 745, with four votes in favor and one abstention. The proposal was first introduced to the PRCS Board at its regular meeting on March 24, 2016, and the Board agreed to host a public hearing on this issue at its meeting on April 28, 2016. On March 28, 2016 letters were sent to each resident adjacent to and across the street from KBG informing them of the proposal and announcing the April 28th public hearing. On April 15th formal notice of the Public Hearing was issued.

Five written comments were received regarding the proposal and two people testified at the public hearing. The written comments are summarized as follows:

- Opposed, but is appropriate if it is allowed by permit only if approved by the Director
- Support
- Support, only for events sponsored by the KBG Foundation and if a tall fence is built between their property and KBG
- Opposed
- No formal position, but provided a list of questions that were answered by staff

The testimony included:

- The Executive Director of the KBG Foundation spoke in favor of the proposed ordinance

- An immediate neighbor supports the garden, is concerned about alcohol, and reported her neighbors are generally supportive.

RESOURCE/FINANCIAL IMPACT

No financial impacts are expected from this action.

RECOMMENDATION

No action is required by the City Council. This meeting will provide an opportunity for Council to ask specific questions and provide staff direction. Adoption of proposed Ordinance No. 745 is scheduled for June 6, 2016.

ATTACHMENTS

Attachment A: Proposed Ordinance No. 745

CITY OF SHORELINE, WASHINGTON

ORDINANCE NO. 745

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON, AMENDING CHAPTER 8.12 RULES FOR USE OF CITY OF SHORELINE PARK FACILITIES TO THE SHORELINE MUNICIPAL CODE, SPECIFICALLY SECTION 8.12.500 ALCOHOLIC BEVERAGES, TO INCLUDE THE KRUCKEBERG BOTANIC GARDEN.

WHEREAS, Shoreline Municipal Code (SMC) Chapter 8.12 established rules for the use of City of Shoreline Park Facilities; and

WHEREAS, the Kruckeberg Botanic Garden is a City park facility; and

WHEREAS, SMC 8.12.500 authorizes the sale and/or consumption of beer and wine in certain designated park facilities; and

WHEREAS, the Kruckeberg Botanic Garden Foundation has expressed a desire to serve beer and wine at special events at the Kruckeberg Botanic Garden; and

WHEREAS, the Kruckeberg Botanic Garden meets the criteria for parks that are most conducive to permitting alcohol at special events including easily contained and controlled, having limited impact on other park patrons or surrounding neighborhoods, and areas that would be most desirable for special events involving alcohol; and

WHEREAS, the Parks, Recreation and Cultural Services Board reviewed the proposal, gathered public input including holding a public hearing on April 28, 2016 and recommends approval of the proposal;

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. SMC 8.12.500 Alcoholic beverages. A new section, section “D” of SMC 8.12.500 Alcoholic beverages, is hereby adopted to read as follows:

D. Kruckeberg Botanic Garden.

Section 2. Severability. If any portion of this chapter is found to be invalid or unenforceable for any reason, such finding shall not affect the validity or enforceability of any other chapter or any other section of this chapter.

Section 3. Publication and Effective Date. A summary of this Ordinance consisting of the title shall be published in the official newspaper. This Ordinance shall take effect five days after publication.

PASSED BY THE CITY COUNCIL ON JUNE 6, 2016

Mayor Christopher Roberts

ATTEST:

APPROVED AS TO FORM:

Jessica Simulcik-Smith
City Clerk

Margaret King
City Attorney

Date of Publication: _____, 2016

Effective Date: _____, 2016