

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Adoption 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
<b>DEPARTMENT:</b>	Parks, Recreation and Cultural Services
<b>PRESENTED BY:</b>	Eric Friedli, PRCS Director
<b>ACTION:</b>	<input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input type="checkbox"/> Motion <input 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.

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. Proposed Ordinance No. 745 was discussed by the Council at their May 23, 2016 meeting. There was general Council support for the staff recommendation to approve the proposed ordinance.

**RESOURCE/FINANCIAL IMPACT:**

No financial impacts are expected from this action.

**RECOMMENDATION**

Staff recommends adoption of proposed Ordinance No. 745 to allow the sale and consumption of beer and wine at Kruckeberg Botanic Garden.

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]

## **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. 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.

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 28<sup>th</sup> public hearing. On April 15<sup>th</sup> formal notice of the Public Hearing was issued.

Proposed Ordinance No. 745 was discussed by the Council at their May 23, 2016 meeting. There was general Council support for the staff recommendation to approve the proposed ordinance. The staff report for the May 23<sup>rd</sup> Council discussion of this item can be found at the following link:

<http://cosweb.ci.shoreline.wa.us/uploads/attachments/cck/council/staffreports/2016/staffreport052316-8b.pdf>.

## **RESOURCE/FINANCIAL IMPACT**

No financial impacts are expected from this action.

## **RECOMMENDATION**

Staff recommends adoption of proposed Ordinance No. 745 to allow the sale and consumption of beer and wine at Kruckeberg Botanic Garden.

## **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