



PARKS AND RECREATION BOARD RECOMMENDATION 20220725-4

Date: July 25, 2022

Subject: Guidelines for making decisions about conditional use permits to allow for the sale of alcohol in Parks

Motioned By: Chair Cottam Sajbel

Seconded By: Vice Chair Faust

Recommendation

The Parks and Recreation Board recommends the following criteria in determining whether to recommend approval of a CUP to the Planning Commission:

The application must:

- credibly justify a change of city and park policy to allow sales of alcoholic beverages;
- demonstrate the benefit to the city of the change of zoning at the location;
- demonstrate sufficient plans, policies, staffing and infrastructure to comply with existing laws and contractual obligations related to alcohol sales and consumption;
- locate the alcohol sales and consumption a safe distance from water bodies and children's areas, as well as any other potential hazards in the park's unique location;
- demonstrate valid community engagement processes and results of feedback from park users, community groups and surrounding neighborhoods on the issue of alcohol sales at the proposed location; and
- address any other unique issues that may inhibit safe and equitable access of the park for which the CUP is requested.

Rationale:

WHEREAS, the intended purpose of governing public recreation areas is to secure and preserve the fullest enjoyment of public recreations areas by the public; and

WHEREAS, city code prohibits the sale, possession, and consumption of alcoholic beverages within a public recreation area; and

WHEREAS, city code permits alcoholic beverages in the spectating area of Krieg and Havins Softball Complexes, at a golf course, in a campsite, which is reserved for a specific person or event, or when an approval authorizes the possession, sale, or consumption by a person or for an event at a public recreation area; and

WHEREAS, the process is in place already for sales of alcohol during special events; and

WHEREAS, food and beverage vendors at city parks have requested conditional use permits to allow for permanent alcohol sales, and more may be requested in the future; and

WHEREAS, approving a Conditional Use Permit rezones the area permanently for alcohol sales on public park property; and

WHEREAS, the sites requested for alcohol sales could be close to designated children's areas, bodies of water, or other recreation amenities which could pose a safety hazard; and

WHEREAS, some members of the public have expressed the need for public recreation areas that are free of alcohol, and it is important to maintain equitable and safe access for all;

WHEREAS, alcohol sales in city parks could necessitate increased staffing and enforcement within the Parks and Recreation Department, Austin Police Department, or other city departments; and

WHEREAS, City Code contains no guiding factors or conditions to consider in deciding on the land use change to the property which is designated in the conditional use permit.

NOW, THEREFORE, BE IT RESOLVED that the Parks and Recreation Board recommends the following criteria in determining whether to recommend approval of a CUP to the Planning Commission:

The application must:

- credibly justify a change of city and park policy to allow sales of alcoholic beverages;
- demonstrate the benefit to the city of the change of zoning at the location;
- demonstrate sufficient plans, policies, staffing and infrastructure to comply with existing laws and contractual obligations related to alcohol sales and consumption;
- locate the alcohol sales and consumption a safe distance from water bodies and children's areas, as well as any other potential hazards in the park's unique location;
- demonstrate valid community engagement processes and results of feedback from park users, community groups and surrounding neighborhoods on the issue of alcohol sales at the proposed location; and
- address any other unique issues that may inhibit safe and equitable access of the park for which the CUP is requested.

Vote **Chair Cottam Sajbel made a motion to recommend the following criteria in determining whether to recommend approval of a CUP to the Planning Commission. The application must: credibly justify a change of city and park policy to allow sales of alcoholic beverages; demonstrate the benefit to the city of the change of zoning at the location; demonstrate sufficient plans, policies, staffing and infrastructure to comply with existing laws and contractual obligations related to alcohol sales and consumption; locate the alcohol sales and consumption a safe distance from water bodies and children's areas, as well as any other potential hazards in the park's unique location; demonstrate valid community engagement processes and results of feedback from park users, community groups and surrounding neighborhoods on the issue of alcohol sales at the proposed location; and address any other unique issues that may inhibit safe and equitable access of the park for which the CUP is requested. Vice Chair Faust seconded the motion. The motion passed on a vote of 8-3 with Chair Cottam Sajbel, Vice Chair Faust, and Board Members Di Carlo, Moore, Hugman, Barnard, Taylor and Lewis voting in favor and Board Members Rinaldi, Flowers and DePalma voting against.**

For: Chair Cottam Sajbel, Vice Chair Faust, and Board Members Di Carlo, Moore, Hugman, Barnard, Taylor and Lewis

Against: Board Members Rinaldi, Flowers and DePalma

Abstain:

Absent:

Attest:

Tim Dombek
