

**CITY OF FIRCREST PLANNING COMMISSION  
REGULAR MEETING MINUTES**

September 15, 2015  
6:00 PM

Fircrest City Hall  
115 Ramsdell Street

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**CALL TO ORDER**

Vice-Chair Jerry Foss called the regular meeting of the Fircrest Planning Commission to order at 6:00 p.m.

**ROLL CALL**

Commissioners Kathy L. McVay, Jerry Foss, Kenneth Halgren, and Arne Michaelsen were present. Absent: None. Excused: Karen Patjens. Staff present: Principal Planner Jeff Boers and Permit Coordinator/Code Compliance Officer Angelie Stahlnecker.

**NEW BUSINESS**

**Draft Zoning Regulations Governing the Sale of Liquor for On-Premises Consumption**

Principal Planner Jeff Boers introduced the draft development regulations related to the sale of liquor for on-premises consumption in the Neighborhood Commercial (NC) zone that were first prepared in the summer of 2014. Directed by the City Council, the Planning Commission is to discuss various regulations options in the event that Proposition 1 (vote to allow sale of liquor by the drink) passes in November, the Planning Commission is reviewing the draft with the intent of holding a public hearing on proposed regulations in October.

Boers made note that the meeting was a special session and not a public hearing. As such, there was no opportunity for formal public comments that would be part of an official public hearing record.

Representatives from the Liquor and Cannabis Board (LCB) were present.

Discussion included the following:

- The proposal would amend the code to allow wine bars, restaurants serving beer and wine, and beer, wine and spirits as defined by the LCB.
- These uses would be subject to an administrative use permit, which is a staff level review.
- The proposal would prohibit taverns and nightclubs as defined by the LCB.
- The proposal would have establish performance standards, especially related to outdoor seating.
- Outdoor seating standards would include restrictions on speakers, bottle handling, courtesy signage, and hours.

- The framework will allow voters a feel for what rules will be in place
- The proposal only apply to the NC zone.
- The area around Emerson Courtyard is currently allowed to serve liquor by the drink as it is part of the annexed area. It is being considered for a rezone to CMU, so the regulations would not apply.
- State law regulates smoking in outdoor seating areas
- Interest in prohibiting nightclubs in the CMU (commercial mixed use) zone.
- All uses are currently allowed in the annexed areas
- Options to limit impact of outdoor speakers on adjacent properties
- Issuing an administrative use permit for outdoor seating would allow an enforcement element
- Desire to start more restrictive as the code can be loosened up later
- Removing “best effort” wording
- Administrative use permits can be revoked if performance standards not met
- Options to control noise from bottle handling
- Desire to make it work for existing businesses but also protect neighborhoods
- Administrative use permits would be required for any business who does not currently have a liquor license
- Impact of outdoor live music
- Regulations related to sidewalk cafes
- The City Council has the option to amend the recommendation if they desire
- Removal of outside seating option
- The performance standards primarily addressed issues related to outdoor seating
- Existing noise ordinance would handle most noise issues
- Difficulty regulating restaurants more strictly if the only difference is serving beer and wine
- Inability to only issues liquor licenses to existing businesses
- Difficulty enforcing time limits on serving liquor different from hours allowed to be open
- LCB has enforcement options, but process takes time
- Without outdoor seating performance standards, administrative use permit seems unnecessary
- Only allowing restaurants that serve beer and wine, not lounges
- Can square foot limits be placed on establishments that serve alcohol
- Proposition 1 wording is directly from the RCW
- Cities can use development regulations to restrict types of establishments
- Staff will present a revised document based on the Planning Commission comments for the public hearing

Sergeant Jackie Eliason, Liquor and Cannabis Board, explained some of the various licenses issued by the LCB:

- Pint Defiance is licensed as a tavern
- Charley’s is license as a restaurant with lounge which as specific food requirements
- A nightclub license is issued to an establishment whose primary function is entertainment and no food requirements

- Sidewalk café licenses are separate and have additional requirements

Foss invited public comment.

Scott Brannon, 1029 Princeton Street, stated concerns with impact on Princeton Street residents and would like the City to hold off adoption for a year to study the issue more.

Rick Little, 154 Harvard Avenue, stated it is the citizens who have brought up this issue and that proper teeth can be put into these regulations to make it work, would like to frequent businesses in Fircrest and that small cafes work in other neighborhoods.

Ken Porter, 1033 Princeton Street, stated he would like to see the City not allow outdoor seating and only issue permits to the two existing businesses and see how it works.

**Moved by Michaelsen and seconded by Halgren to adjourn the meeting at 8:21 p.m. Ayes: Kathy L. McVay, Jerry Foss, Kenneth Halgren, and Arne Michaelsen. Noes: None. Absent: None. Excused: Karen Patjens. Motion carried.**

  
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Karen Patjens, Planning Commission Chair

  
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Jeff Boers, Principal Planner