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Introduced By: Pullen

AdultOrd.Doc/NR:jem

Proposed No.: 96-1038

ORDINANCE NO. 12594

1
2 AN ORDINANCE relating to adult use
3 establishments, extending the moratorium
4 enacted by Ordinance No. 12085 on
5 applications for permits and licenses
6 concerning adult use establishments, and
7 declaring an emergency.

8 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

9 SECTION 1. Findings. Based on evidence, information,
10 documents and materials submitted to and reviewed by the King
11 County Council and other municipalities and jurisdictions in
12 this region, including but not limited to the record
13 supporting passage of Ordinance 9915, the King County Council
14 makes the following findings of fact:

15 A. The findings contained in Section 1 of each of the
16 following ordinances (11647, 11825, and 12085) are
17 incorporated herein by reference.

18 B. In response to concerns evidenced by those findings,
19 the council adopted Ordinance 12085 to extend a moratorium

1 participation throughout the development of the land use
2 ordinance. To that end, executive staff has attended
3 numerous meetings with (and has made presentations before)
4 various community interest groups and Unincorporated Area
5 Councils (UACs). In addition, several workshops have been
6 conducted with representatives from the West Hill, North
7 Highline, and Maple Valley UACs, as well as representatives
8 from community interest groups in Kenmore and Renton, to
9 identify and discuss the feasibility of additional
10 regulatory options. The Department of Development and
11 Environmental Services is continuing in its efforts to
12 assess the feasibility of the additional regulatory options
13 being developed through discussions with the UACs and
14 community interest groups.

15 2. Executive staff continues to approach other
16 local jurisdictions to discuss a regional zoning approach.
17 To this end, studies have been reviewed to evaluate the
18 differing customer characteristics of the various types of
19 adult use facilities.

20 3. As part of the discussion and evaluation of new
21 regulatory options with interested citizens and groups,

1 recommendation after receiving this additional community
2 review and comment.

3 2. The executive must also prepare a new report of
4 the current adult use entertainment regulations and
5 alternative methods of addressing the harmful secondary
6 effects of such establishments, as required by Ordinance
7 11647.

8 3. The county must perform a review under the
9 State Environmental Protection Act (SEPA) and give the state
10 notice of any proposed amendments to the zoning code at least
11 sixty days prior to final adoption pursuant to the Growth
12 Management Act (GMA).

13 4. Once the executive transmits a proposed
14 ordinance to the Council, the proposed ordinance must proceed
15 through the legislative process, which normally takes a
16 minimum of approximately forty-five days from the date an
17 ordinance is introduced until the date it becomes effective.
18 This may take longer, however, to accommodate public
19 involvement.

20 5. If a comprehensive plan amendment is necessary,
21 due to policy changes resulting from the executive's proposed

1 F. When the council considered Proposed Ordinance 96-
2 946, extending the moratorium regarding adult use
3 establishments, there may have been confusion regarding the
4 public's opportunity to participate. The council has long
5 supported maximum public participation. Proceedings in the
6 ordinance now before the council are intended to afford an
7 additional opportunity for public participation.

8 G. In order for there to be no gap between the
9 effective period of the current moratorium enacted by
10 Ordinance 12085 and the proposed ordinance now before the
11 council, the proposed ordinance must be effective on January
12 6, 1997 and hence the council must adopt the proposed
13 ordinance on an emergency basis.

14 H. The proposed ordinance before the council
15 supersedes Proposed Ordinance 96-946.

16 SECTION 2. Moratorium Extension. The moratorium first
17 enacted by Ordinance 11647 and most recently extended by
18 Ordinance 12085 shall remain in effect through December 31,
19 1997 or until new land use regulations governing the siting
20 of adult use establishments take effect, whichever is
21 sooner. While the moratorium remains in effect, no

