



KING COUNTY

1200 King County Courthouse
516 Third Avenue
Seattle, WA 98104

Signature Report

August 29, 2011

Ordinance 17178

Proposed No. 2011-0364.1

Sponsors McDermott

1 AN ORDINANCE declaring a one-year moratorium on the
2 issuance of public amusement/entertainment licenses
3 required under K.C.C. 6.08.020 for any new music and
4 dance entertainment venues and precluding the
5 establishment of any such venues within the commercial
6 zoned land of North Highline subject to the economic
7 redevelopment special district overlay authorized by
8 K.C.C. 21A.38.090; directing the executive to review the
9 impacts of establishments that operate under such licenses
10 upon the commercial viability of the commercial zoned
11 land within the economic redevelopment special district
12 overlay; and further directing the executive to submit
13 recommendations to preserve or strengthen the
14 commercial viability of these commercial zoned lands for
15 council review and approval; adding a new section to
16 K.C.C. chapter 21A.06; and declaring an emergency.

17 BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

18 SECTION 1. Findings:

19 A. The White Center business district is located within the North Highline
20 potential annexation area, which is currently being considered for annexation by the city
21 of Burien.

22 B. King County supports the annexation of North Highline into an adjacent city
23 and is committed to seeking ways to support that effort. The commercial viability of the
24 commercial districts within the North Highline potential annexation area affects the fiscal
25 impacts of any city considering annexation of North Highline.

26 C. Since 1994, King County has sought to reverse a trend of declining economic
27 vitality in the White Center business district that was due in part to perceptions, real or
28 imagined, of ongoing public safety concerns.

29 D. In Ordinance 11351 in 1994, King County adopted the White Center
30 Community Action Plan to provide incentives for the redevelopment of underutilized
31 commercial properties.

32 E. Today, the White Center business district is mainly a drive up retail area that
33 includes two ethnic grocery stores, an ethnic butcher and meat market, a small
34 independent drug store, a large regional drug store, ethnic restaurants, beauty and nail
35 salons, American-styled bars and grills and a few office-oriented businesses and spaces.

36 F. While these businesses represent a modicum of success in King County's
37 effort, the continuing presence of vacant buildings is indicative of a reluctance to locate
38 within the White Center business district due in large measure to lingering concerns
39 about public safety.

40 G. Over the past several years, specific concerns have been raised within the
41 community related to the operation of music and dance venues that have engendered an

42 environment that keeps customers away from nearby businesses, thereby endangering the
43 economic viability of the entire White Center business district.

44 J. The investigations of the numerous complaints have required the significant
45 use of ever-diminishing county public safety and code enforcement resources.

46 K. King County has authority to establish a moratorium under the Growth
47 Management Act, RCW 36.70A.390, to preclude approval of a particular land use. The
48 county may also adopt a moratorium, under its inherent police power, prohibiting
49 approval of new business licenses to facilitate the jurisdiction's interest in studying the
50 impacts of the prohibited activity.

51 SECTION 2. A. A one-year moratorium commencing upon the date of adoption
52 of this ordinance is declared on the issuance of new public amusement/entertainment
53 licenses required under K.C.C. 6.08.020 and the establishment of new music and dance
54 entertainment venues proposed within the commercial zoned land of North Highline
55 subject to the economic redevelopment special district overlay authorized by K.C.C.
56 21A.38.090.

57 B. Within sixty days of the adoption of this ordinance, the council shall hold a
58 public hearing on the moratorium and, within thirty days of the public hearing, shall
59 adopt an ordinance adopting findings of fact justifying the moratorium.

60 C.1. Within six-months of the adoption of this ordinance, the county executive
61 shall transmit to the council a work plan that sets a timeline for:

62 a. review of the impacts of establishments that operate under public
63 amusement/entertainment licenses upon the commercial viability of the commercial
64 zoned land within the economic redevelopment special district overlay;

65 b. suggestions to preserve or strengthen the commercial viability of these
66 commercial zoned lands within the economic redevelopment special district overlay; and
67 c.. consideration of whether adoption of an appropriate land use regulation
68 would address the impacts and concerns identified in the council's findings of fact and the
69 executive work plan.

70 2. A paper copy and an electronic copy of the proposed work plan shall be filed
71 with the clerk of the council, who shall retain the paper copy and forward electronic
72 copies to all councilmembers.

73 SECTION 3. For the purposes of this ordinance related to public
74 amusement/entertainment licenses:

75 A. "Music and dance entertainment venue" means a business in which the
76 primary purpose of the business is to provide entertainment to its patrons in the form of
77 dancing and live or electronic music; and

78 B. The one-year moratorium shall not apply to the renewal of any public
79 amusement/entertainment license that is valid on the effective date of this ordinance.

80 SECTION 4. There is hereby added to K.C.C. chapter 21A.06 a new section read
81 as follows:

82 Music and dance entertainment venue: a business in which the primary purpose
83 of the business is to provide entertainment to its patrons in the form of dancing and live
84 or electronic music.


85 SECTION 5. The county council finds as a fact and declares that an emergency
86 exists and that this ordinance is necessary for the immediate preservation of public peace,

87 health or safety or for the support of county government and its existing public
88 institutions.
89

Ordinance 17178 was introduced on 8/29/2011 and passed by the Metropolitan King County Council on 8/29/2011, by the following vote:

Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.
McDermott
No: 0
Excused: 0

KING COUNTY COUNCIL
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



Anne Noris, Clerk of the Council

Attachments: None