

**ORDINANCE NO. 179**

**AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON,  
EXTENDING A MORATORIUM ON THE ACCEPTANCE OF  
APPLICATIONS FOR AND ISSUANCE OF LAND USE, BUILDING  
AND DEVELOPMENT PERMITS FOR ADULT RETAIL USES.**

WHEREAS, pursuant to RCW 35A.63.220 and RCW 36.70.390 the City Council adopted Ordinance No. 166, which established a moratorium on the filing and acceptance of applications for land use, building and development permits for adult retail uses; and

WHEREAS, the Shoreline City Council had previously determined, based on public testimony and other evidence and findings of fact detailed in Ordinance Nos. 138 and 139, that adult business and entertainment uses cause secondary effects that are detrimental to the public health, safety, morals and general welfare of the citizens of Shoreline; and

WHEREAS, other cities in the Seattle-Tacoma metropolitan area, and elsewhere in the country, have adopted or are in the process of adopting ordinances regulating adult retail uses based upon evidence of the negative secondary effects of such uses; and

WHEREAS, the City wishes to avail itself of the research that other jurisdictions are conducting on the adverse effects of such uses; and

WHEREAS, the City Council has directed City staff to research the potential adverse effects of adult retail uses within the City and additional time will be needed to complete this research; and

WHEREAS, the purpose of Ordinance No. 166 was to provide time, during the moratorium period to: determine the secondary effects of adult retail uses; examine current City regulations to determine their adequacy for dealing with any negative effects that may be identified; and, if appropriate, to prepare for adoption suitable time, place and manner restrictions narrowly tailored to regulate such uses by the least restrictive means available; and

WHEREAS, in accordance with state law, the City Council conducted a public hearing on this matter on November 23, 1998; and

WHEREAS, the City Council finds that the protection of the public health, safety and welfare requires that the moratorium established by Ordinance No. 166 be renewed for an additional six month period;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE,  
WASHINGTON, DO ORDAIN AS FOLLOWS:**

Section 1. Findings of Fact. The recitals set forth in Ordinance No. 166, and the findings of fact contained in Ordinance Nos. 138 and 139 are incorporated as if fully set forth herein and shall serve as the findings of fact for purposes of adopting this ordinance. Further, the renewal of the moratorium established in Ordinance No. 166 will provide the City Council with an opportunity to more thoroughly study and address the issue of appropriate adult business regulation.

Section 2. Moratorium Renewed. The Shoreline City Council hereby renews the moratorium established by Ordinance No. 166 upon the acceptance of applications for and the issuance of any land use, building and development permits or approval (including variances and rezones), or any other permit, license or approval required to construct, install, relocate, or operate any adult retail use as defined by City ordinance. During the pendency of this moratorium, no information or submissions on any pending applications for adult retail uses shall be accepted by City staff.

Section 3. Effective Date and Duration. The current moratorium shall expire at midnight on December 22, 1998. The renewal authorized herein shall immediately take effect upon expiration of the current moratorium and shall thereafter be in effect for 180 days (until June 22, 1999) unless repealed, modified, or extended by action of the City Council.

Section 4. Severability. If any section, sentence, clause or phrase of this ordinance should be held to be invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the validity or constitutionality of any other section, sentence, clause or phrase of this ordinance.

**PASSED BY THE CITY COUNCIL ON NOVEMBER 23, 1998.**

  
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Mayor Scott Jepsen

**ATTEST:**

**APPROVED AS TO FORM;**

  
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Sharon Mattioli, CMC  
City Clerk

Bruce L. Disend  
City Attorney

Date of Publication: November 27, 1998  
Effective Date: December 23, 1998