

**RESOLUTION NO. 29**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON, RELATING TO LAND USE AND ZONING OF PLACES OF ADULT ENTERTAINMENT, ADULT THEATER, AND ADULT USE ESTABLISHMENTS, AND TO LICENSING OF ADULT ENTERTAINMENT, ADULT THEATER AND ADULT USE ESTABLISHMENTS; ESTABLISHING A MORATORIUM ON ACCEPTANCE OF APPLICATIONS FOR, AND ISSUANCE OF, USE PERMITS AND BUILDING PERMITS FOR ADULT ENTERTAINMENT, ADULT THEATER, AND ADULT USE ESTABLISHMENTS; ESTABLISHING A MORATORIUM ON ACCEPTANCE OF APPLICATIONS FOR, AND ISSUANCE OF, BUSINESS AND OTHER LICENSES FOR ADULT ENTERTAINMENT, ADULT THEATER, AND ADULT USE ESTABLISHMENTS; AND DECLARING AN EMERGENCY**

WHEREAS, based upon a wide range of evidence presented to other jurisdictions, including but not limited to the testimony of law enforcement officers and members of the public, information, documents and materials submitted to and reviewed by the King County Council, and by the Councils of other cities within the region, the City Council finds that the use of property to operate, conduct or maintain adult entertainment, adult theater, and adult use establishments is a use which, although afforded some constitutional protection, often creates or enhances undesirable secondary effects, which include a wide range of criminal and other unlawful activities that have regularly and historically occurred, including prostitution, narcotics and liquor law violations, breaches of the peace, assaults and sexual conduct involving contact between patrons and between entertainers and patrons, some of whom have been minors; and

WHEREAS, by Ordinances No. 11647 and 11825, the King County Council adopted adult entertainment moratoriums which presently apply in the City but will expire on the official date of incorporation;

WHEREAS, in the absence of a moratorium, new applications for such businesses and premises could establish vested rights to locate in neighborhoods and places contrary to State Legislative intent and contrary to the intent of the City Council to carefully and thoroughly provide for appropriate locations and regulations; and

WHEREAS, the City Council therefore finds that the protection of the public health, safety and welfare requires establishment of the said moratorium;

**THE CITY COUNCIL OF THE CITY OF SHORELINE, WASHINGTON,  
DOES ORDAIN AS FOLLOWS:**

**Section 1.** Moratorium Established. A moratorium is hereby imposed upon the filing with King County of any and all applications for licenses, use permits or building permits for places of adult entertainment, adult theaters, and adult use establishments. No use permits or building permits for adult entertainment, adult theater, or adult use establishments shall be issued. No applications for business licenses for adult entertainment, adult theaters, or adult use establishments shall be accepted, and no adult entertainment, adult theater, or adult use establishment licenses shall be issued.

**Section 2.** Definitions. Places of adult entertainment, adult theaters, adult use establishments and similar terms shall be defined as now or hereafter defined in King County Ordinance 11647 and 11825 or other applicable King County ordinances.

**Section 3.** SEPA Exemption. Pursuant to King County SEPA ordinance, and Washington Administrative Code WAC 197-11-880, the City Council finds that an exemption under SEPA for this action is necessary to prevent an imminent threat to public health and safety and to prevent an imminent threat of serious environmental degradation through continued development under the existing regulations. SEPA review of any permanent regulations proposed for replacement of this moratorium shall be conducted.

**Section 4.** Effective period of Moratorium. The moratorium shall be effective immediately upon adoption of this resolution and shall continue in effect for a six (6) month period pursuant to RCW 35.12.137 and 35A.63.220, unless subsequently repealed, modified, or extended after a subsequent public hearing and entry of appropriate findings of fact pursuant to Chapter 207 of Laws of 1992, by the City Council.

**Section 5.** Duties of City Clerk and King County. The Acting City Clerk shall immediately transmit a certified copy of this resolution to the King County Council, King County Executive, and the Director of the King County Department of Development and Environmental Services. King County shall immediately cease accepting any new applications for development or licenses relating to places of adult entertainment, adult theaters, adult use establishments, and similar adult uses. The City shall not process any similar applications at the City Permit Center on or after the date of incorporation pursuant to Section 4 above.

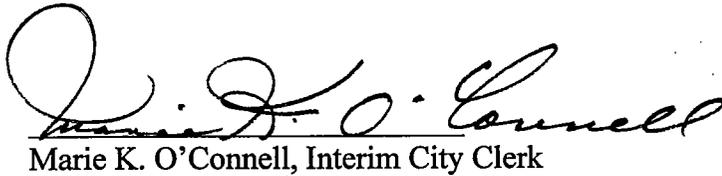
**Section 6.** Intent of City Council. The City Council intends this Resolution to have the full legal force and effect of, and to be enforceable as, an ordinance. This document is in Resolution form pursuant to the statutory requirements of RCW 35.02.137.

**Section 7. Public Hearing.** Pursuant to RCW 35A.63.220, a public hearing on the moratorium established by this Resolution shall be held before the City Council within 60 days of the adoption of this Resolution. The Interim City Clerk shall cause notice of the referenced public hearing to be published in The Seattle Times at least ten days prior to the hearing date.

**PASSED BY THE CITY COUNCIL ON AUGUST 14, 1995.**

  
Mayor Connie King

ATTEST:

  
Marie K. O'Connell, Interim City Clerk