

ORDINANCE 114651

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AN ORDINANCE relating to land use and zoning of adult uses, amending Ordinance 114531 to extend the duration of the moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for adult entertainment premises as defined in SMC 6.270, for panorams or peepshows as defined in SMC 6.42, and for adult motion picture theaters as defined in SMC 23.84.030.

WHEREAS, there are an increasing number of adult uses located near residential areas throughout the City; and

WHEREAS, there is growing evidence that such uses constitute a threat to the public health, safety, and welfare; and

WHEREAS, on November 28, 1988 this Council passed Ordinance 114254 establishing a 180-day moratorium on issuing licenses for adult entertainment uses in certain zones; and

WHEREAS, on December 19, 1988 this Council adopted Resolution 27905 directing the Executive to conduct studies and investigations, and make recommendations for amending the Land Use Code relating to adult entertainment uses; and

WHEREAS, on March 24, 1989 the Director of the Department of Construction and Land Use issued his Report on a Proposed Land Use Code Text Amendment for Adult Cabarets, recommending that a new land use category, "adult cabaret," be defined, and that adult cabarets be restricted to three downtown zones; and

WHEREAS, this Council received input from citizens, neighborhood groups, business groups, staff, and others regarding the impacts of locating adult uses in various parts of the City; and

WHEREAS, on May 15, 1989 this Council adopted Resolution 27983 requesting the Department of Construction and Land Use to evaluate the option of restricting adult uses to a portion of the Duwamish industrial area; and

WHEREAS, on May 22, 1989 this Council passed Ordinance 114531 establishing a moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for all adult entertainment uses; and

WHEREAS, the Director of the Department of Construction and Land Use studied the Duwamish industrial area alternative, and, on August 7, 1989, issued a Revised Director's Report on Adult Entertainment; and

WHEREAS, the Public Safety Committee has scheduled a public hearing for September 6, 1989 to hear testimony on the alternative land use regulations for adult entertainment uses; and

WHEREAS, the City did not receive any applications for licenses subject to the moratorium imposed by Ordinance 114254; and

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 WHEREAS, the City has not received any objections to the
2 moratorium imposed by Ordinance 114531; and

3 WHEREAS, this Council intends to reach a decision on land use
4 regulation of adult uses within the next several months; and

5 WHEREAS, this Council finds that the protection of the public
6 health, safety, and welfare requires extending the
7 moratorium on new adult uses; NOW, THEREFORE

8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9 Section 1. Section 2 of Ordinance 114531 is hereby amended
10 to read as follows:

11 For a period of ((140)) 220 days from the effective
12 date of this ordinance, no use permit shall be issued,
13 nor shall any use permit application or building permit
14 application be accepted, for any adult entertainment
15 premises as defined in SMC 6.270, for any panoram or
16 peepshow as defined in SMC 6.42, or for any adult
17 motion picture theater as defined in SMC 23.84.030.

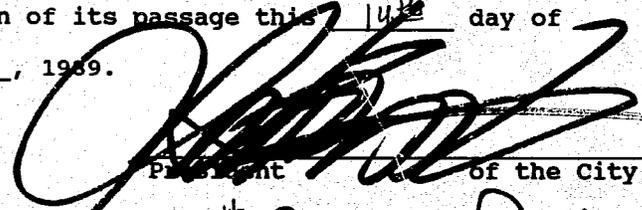
18 Section 2. Pursuant to SMC 25.05.880, the City Council
19 finds that an exemption under SEPA for this action is necessary
20 to prevent an imminent threat to public health and safety and to
21 prevent an imminent threat of serious environmental degradation
22 through continued development under the existing regulations.
23 SEPA review of any permanent regulations proposed for replacement
24 of the existing zoning shall be conducted.

25 Section 3. This Ordinance shall take effect and be in force
26 thirty days from and after its passage and approval, if approved
27 by the Mayor; otherwise it shall take effect at the time it shall
28 become a law under the provisions of the city charter.

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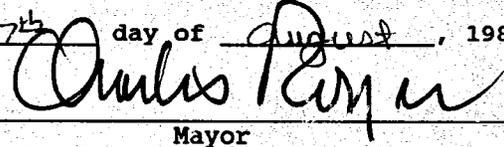
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PASSED by the City Council the 14th day of
August, 1989, and signed by me in open session in
authentication of its passage this 14th day of
August, 1989.



President of the City Council

Approved by me this 17th day of August, 1989.



Mayor

Filed by me this 17th day of August, 1989.

ATTEST: Norward J. Brooks
City Comptroller and City Clerk

By: Theresa Dunbar
Deputy

(SEAL)

Published _____

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RECEIVED THIS DAY

7/28/89

89/09/27

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SEP 27 2 51 PM '89

REC FEE : 2.00
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BY THE DIVISION OF ORDINANCE 114651
RECORDS & ELECTIONS
KING COUNTY

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AN ORDINANCE relating to land use and zoning of adult uses, amending Ordinance 114531 to extend the duration of the moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for adult entertainment premises as defined in SMC 6.270, for panorams or peepshows as defined in SMC 6.42, and for adult motion picture theaters as defined in SMC 23.84.030.

WHEREAS, there are an increasing number of adult uses located near residential areas throughout the City; and

WHEREAS, there is growing evidence that such uses constitute a threat to the public health, safety, and welfare; and

WHEREAS, on November 28, 1988 this Council passed Ordinance 114254 establishing a 180-day moratorium on issuing licenses for adult entertainment uses in certain zones; and

WHEREAS, on December 19, 1988 this Council adopted Resolution 27905 directing the Executive to conduct studies and investigations, and make recommendations for amending the Land Use Code relating to adult entertainment uses; and

WHEREAS, on March 24, 1989 the Director of the Department of Construction and Land Use issued his Report on a Proposed Land Use Code Text Amendment for Adult Cabarets, recommending that a new land use category, "adult cabaret," be defined, and that adult cabarets be restricted to three downtown zones; and

WHEREAS, this Council received input from citizens, neighborhood groups, business groups, staff, and others regarding the impacts of locating adult uses in various parts of the City; and

WHEREAS, on May 15, 1989 this Council adopted Resolution 27983 requesting the Department of Construction and Land Use to evaluate the option of restricting adult uses to a portion of the Duwamish industrial area; and

WHEREAS, on May 22, 1989 this Council passed Ordinance 114531 establishing a moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for all adult entertainment uses; and

WHEREAS, the Director of the Department of Construction and Land Use studied the Duwamish industrial area alternative, and, on August 7, 1989, issued a Revised Director's Report on Adult Entertainment; and

WHEREAS, the Public Safety Committee has scheduled a public hearing for September 6, 1989 to hear testimony on the alternative land use regulations for adult entertainment uses; and

WHEREAS, the City did not receive any applications for licenses subject to the moratorium imposed by Ordinance 114254; and

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

1 WHEREAS, the City has not received any objections to the
2 moratorium imposed by Ordinance 114531; and

3 WHEREAS, this Council intends to reach a decision on land use
4 regulation of adult uses within the next several months; and

5 WHEREAS, this Council finds that the protection of the public
6 health, safety, and welfare requires extending the
7 moratorium on new adult uses; NOW, THEREFORE

8 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

9 Section 1. Section 2 of Ordinance 114531 is hereby amended
10 to read as follows:

11 For a period of ((140)) 220 days from the effective
12 date of this ordinance, no use permit shall be issued,
13 nor shall any use permit application or building permit
14 application be accepted, for any adult entertainment
15 premises as defined in SMC 6.270, for any panoram or
16 peepshow as defined in SMC 6.42, or for any adult
17 motion picture theater as defined in SMC 23.84.030.

18 Section 2. Pursuant to SMC 25.05.880, the City Council
19 finds that an exemption under SEPA for this action is necessary
20 to prevent an imminent threat to public health and safety and to
21 prevent an imminent threat of serious environmental degradation
22 through continued development under the existing regulations.
23 SEPA review of any permanent regulations proposed for replacement
24 of the existing zoning shall be conducted.

25 Section 3. This Ordinance shall take effect and be in force
26 thirty days from and after its passage and approval, if approved
27 by the Mayor; otherwise it shall take effect at the time it shall
28 become a law under the provisions of the city charter.

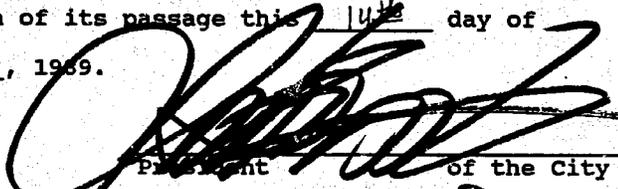
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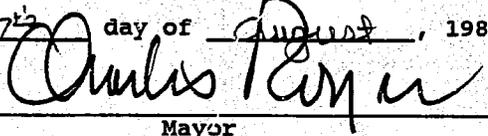
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PASSED by the City Council the 14th day of August, 1989, and signed by me in open session in authentication of its passage this 14th day of August, 1989.



President of the City Council

Approved by me this 17th day of August, 1989.



Mayor

Filed by me this 17th day of August, 1989.

ATTEST: Norward J. Brooks
City Comptroller and City Clerk

By: Theresa Dunbar
Deputy

(SEAL)

Published _____

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)
I, NORWARD J. BROOKS, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this August 23, 1989

NORWARD J. BROOKS
Comptroller and City Clerk

By: Theresa Dunbar
Deputy Clerk

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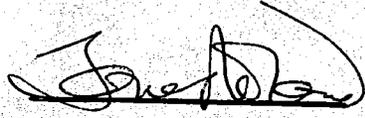
NORWARD J. BROOKS CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104

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TIME AND DATE STAMP

SPONSORSHIP

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



FOR CITY COUNCIL PRESIDENT USE ONLY

COMMITTEE(S) REFERRED TO: _____

PRESIDENT'S SIGNATURE

0 5 70 72

NOTICE: IF THE DOCUMENT IN THIS FRAME IS LESS CLEAR THAN THIS NOTICE IT IS DUE TO THE QUALITY OF THE DOCUMENT.

City of Seattle

ORDINANCE 114531

AN ORDINANCE relating to land use zoning of adult uses, amending Ordinance 114531 to extend the duration of the moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for adult entertainment premises as defined in SMC 6.42, and 6.270, for panoramas or peepshows as defined in SMC 6.42, and for adult motion picture theaters as defined in SMC 23.84.030.

WHEREAS, there are an increasing number of adult uses located near residential areas throughout the City; and

WHEREAS, there is growing evidence that such uses constitute a threat to the public health, safety, and welfare; and

WHEREAS, on November 20, 1988 the Council passed Ordinance 114254 establishing a moratorium on issuing licenses for adult entertainment uses in certain zones; and

WHEREAS, on December 19, 1988 this Council adopted Resolution 27905 directing the Executive to conduct studies and investigations, and make recommendations for amending the Land Use Code relating to adult entertainment uses; and

WHEREAS, on March 24, 1989 the Director of the Department of Construction and Land Use issued his Report on a Proposed Land Use Code Text Amendment for Adult Cabarets, recommending that a new land use category, "Adult cabaret," be defined, and that adult cabarets be restricted to three downtown zones; and

WHEREAS, this Council received input from citizens, neighborhood groups, business groups, staff, and others regarding the impacts of locating adult uses in various parts of the city; and

WHEREAS, on May 15, 1989 this Council adopted Resolution 27983 requesting the Department of Construction and Land Use to evaluate the option of restricting adult uses to a portion of the Duwamish Industrial area; and

WHEREAS, on May 22, 1989 this Council passed Ordinance 114531 establishing a moratorium on the issuance of use permits, and on the acceptance of applications for use permits or building permits, for all adult entertainment uses; and

WHEREAS, the Director of the Department of Construction and Land Use studied the Duwamish Industrial area alternative, and, on August 1, 1989, issued a Revised Director's Report on Adult Entertainment; and

WHEREAS, the Public Safety Committee has scheduled a public hearing for September 4, 1989 to hear testimony on the alternative land use regulations for adult entertainment uses; and

WHEREAS, the city did not receive any applications for licenses subject to the moratorium imposed by Ordinance 114254; and

WHEREAS, the City has not received any objections to the moratorium imposed by Ordinance 114531; and

WHEREAS, this Council intends to reach a decision on land use regulation of adult uses within the next several months; and

WHEREAS, this Council finds that the protection of the public health, safety, and welfare requires extending the moratorium on new adult uses; NOW, THEREFORE

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Section 3 of Ordinance 114531 is hereby amended to read as follows:

For a period of ((240)) 220 days from the effective date of this ordinance, no use permit shall be issued, nor shall any use permit application or building permit application be accepted, for any adult entertainment premises as defined in SMC 6.270, for any panorama or peepshow as defined in SMC 6.42, or for any adult motion picture theater as defined in SMC 23.84.030.

Section 2. Pursuant to SMC 25.05.080, 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 the existing zoning shall be conducted.

Section 3. This Ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

PASSED by the City Council the 14th day of August, 1989, and signed by me in open session in authentication of its passage this 14th day of August, 1989.

SAM SMITH,
President of the City Council.
Approved by me this 17th day of August, 1989.
CHARLES ROYER,
Mayor.

Filed by me this 17th day of August, 1989.
ATTEST: NORWARD J. BROOKS,
City Comptroller and City Clerk.
(Seal) By: THERESA DUNBAR,
Deputy Clerk.

Publication ordered by NORWARD J. BROOKS, Comptroller and City Clerk.
Date of official publication in Daily Journal of Commerce, Seattle, August 25, 1989. (18947)

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STATE OF WASHINGTON - KING COUNTY

18847
City of Seattle

-ss.

No.

Affidavit of Publication

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

ORD: 114651

was published on
08/25/89

The amount of the fee charged for the foregoing publication is the sum of \$ _____, which amount has been paid in full.

Bethany Morris

Subscribed and sworn to before me on

Ray AUG 25 1989

Notary Public for the State of Washington,
residing in Seattle

Affidavit of Publication

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