



**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.

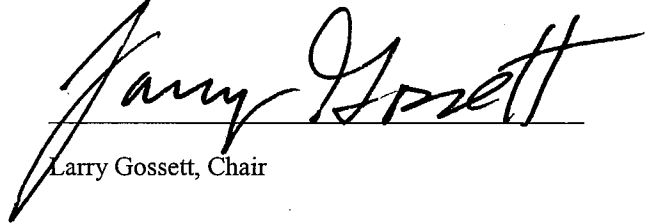
85           SECTION 5. The county council finds as a fact and declares that an emergency  
86 exists and that this ordinance is necessary for the immediate preservation of public peace,

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:

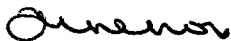
Yes: 9 - Mr. Phillips, Mr. von Reichbauer, Mr. Gossett, Ms. Hague,  
Ms. Patterson, Ms. Lambert, Mr. Ferguson, Mr. Dunn and Mr.  
McDermott  
No: 0  
Excused: 0

KING COUNTY COUNCIL  
KING COUNTY, WASHINGTON



Larry Gossett, Chair

ATTEST:



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Anne Noris, Clerk of the Council

**Attachments:** None