

Ordinance No. 00078

[Council Minutes 96/05/20](#)

ORDINANCE NO. 78

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AN ORDINANCE of the City Council of the City of Lakewood, Washington, establishing a work plan for review and development of ordinances and regulations affecting adult entertainment business and reaffirming the moratorium established by Ordinance No. 50

WHEREAS, in connection with the incorporation of the City of Lakewood, and in connection with the City=s development of business licensing and land use regulations and zoning codes for the City, special attention needs to be given to those aspects that relate to adult entertainment businesses and adult entertainment land uses; and,
WHEREAS, consistent with the moratorium adopted by Ordinance No. 50, and pursuant to the provisions of RCW 35.A.63.220, it is appropriate for the City Council to hold public hearings and to authorize the holding of public hearings and/or other means to gather information and adopt findings of fact supporting and justifying the moratorium, and to implement a work plan for review of the adult entertainment related issues in the development of the City=s adult entertainment business and land use regulations; and, WHEREAS, in order to accomplish the necessary review of relevant community and legal issues in developing the City

=s adult entertainment business and land use regulations; and, WHEREAS, in order to accomplish the necessary review of relevant community and legal issues in developing the City=s adult entertainment regulations, it would be reasonable to utilize the resources of the Planning Advisory Board and combine the business regulatory review with the land use, zoning and comprehensive plan reviews.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF LAKEWOOD, WASHINGTON, DO ORDAIN as Follows:

Section 1. That the following findings of fact are hereby adopted:

A. That adult entertainment businesses and adult entertainment land uses have significant impacts on neighboring properties and on the community.

B. That among the impacts of adult entertainment businesses and land uses are potential secondary effects as shown by comparisons and studies by other communities as well as the incidents of criminal activity in the City of Lakewood.

C. That because of the potential detrimental impacts of these businesses and land uses, special care and attention needs to be employed in developing appropriate legislation that satisfactorily addresses the concerns of the City and does so in a way which is in conformity with the constitutional limitations and requirements identified by court decision.

D. A substantial amount of documentation, information, testimony and statements of concern have been presented to the City by law enforcement officers, citizens of the City and other persons interested in or familiar with the issues of adult entertainment businesses and land uses support continued and further exploration of ways to protect the City and its citizens from the

undesirable secondary effects of adult entertainment businesses and land uses yet recognizing the constitutional protections afforded such businesses and land uses.

Section 2. That the findings and recitals of Ordinance No. 50 are reaffirmed, including the establishment of the moratorium.

Section 3. That the following work plan is adopted to address the issues involved in the adult entertainment business and land use regulations:

A. That the City of Lakewood Planning Advisory Board shall be authorized and directed to hold public hearings and public meetings to fully receive and consider statements, testimony, positions and other documentation or evidence involving adult entertainment businesses and land uses.

B. That the Planning Advisory Board and City staff are authorized and directed to review the status of legal cases, decided and pending, to review the statistical data, information, studies and other evidence compiled by other municipalities, including law enforcement reports and evidence of undesirable secondary effects of adult entertainment businesses and land uses, and a review of the regulations, ordinances and codes adopted and implemented by other municipalities to address adult entertainment businesses and adult entertainment land uses.

C. That the City of Lakewood Planning Advisory Board shall work with City staff and the law enforcement officers of the City to develop proposals for regulation of adult entertainment businesses and for regulations, restrictions and limitations on adult entertainment land uses and zoning considerations, to be forwarded in recommendations to the City Council for inclusion in ordinances and adoption as a part of the City Code of the City of Lakewood.

D. That the City Manager, in consultation with the City Attorney, Director of Community Development and the Police Chief shall periodically advise the City Council as to the status of hearings, meetings and information development regarding activities of the Planning Advisory Board and City staff relative to adult entertainment businesses and land uses, with such reports to be scheduled approximately every six (6) months or as appropriate throughout the period of the moratorium and any extensions thereof, until adoption of a comprehensive ordinance as developed, relating to adult entertainment businesses and land uses becoming effective in conjunction with the termination of the moratorium referred to in this Ordinance and in Ordinance No. 50.

Section 4. That if any portion of this Ordinance or its application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of the provision to other persons or circumstances shall not be affected.

Section 5. That this Ordinance shall be in full force and effect five (5) days after publication of the Ordinance Summary.

ADOPTED by the City Council this 20th day of May, 1996.

CITY OF LAKEWOOD

/S/ Bill Harrison, Mayor

Attest:

/S/

Alice M. Bush, CMC, City Clerk

Approved as to Form:

/S/

Daniel B. Heid, City Attorney

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