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3/2/84

RESOLUTION NO. 84-4

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, IMPOSING A MORATORIUM UPON THE ISSUANCE OF ANY BUILDING PERMIT, OCCUPANCY PERMIT, BUSINESS LICENSE OR OTHER PERMIT OR LICENSE TO BUSINESSES AND/OR INDIVIDUALS OPERATING OR SEEKING TO OPERATE CERTAIN DESCRIBED BUSINESS ACTIVITIES.

WHEREAS, the City of Mill Creek was incorporated on September 30, 1983, as an optional municipal code city, and

WHEREAS, in an effort to provide interim land use and zoning controls, the City Council enacted Ordinance No. 16 on October 25, 1983, which adopted by reference the Snohomish County Zoning Code and Official Zoning Map, and

WHEREAS, the Mill Creek Planning Commission is currently conducting investigations and hearings for recommendation to the Mill Creek City Council to adopt a comprehensive plan, zoning ordinance and zoning map, and

WHEREAS, under the current provisions of the Snohomish County Zoning Code, certain businesses and business activities are permitted in business and commercial zones which may not be compatible with the wants, needs and desires of the citizens of Mill Creek and which may not be in the best interests of the public health, safety and general welfare if they are located within certain areas of the City of Mill Creek, and

WHEREAS, the City Council of the City of Mill Creek indicated its intention to consider imposing a moratorium on certain businesses at its February 28, 1984 meeting, and

WHEREAS, the City Council held a public hearing on April 24, 1984, concerning imposition of a moratorium on certain businesses, and

WHEREAS, based on the testimony received at the public hearing, from staff reports and other information, the City Council finds that businesses that engage in legalized gambling operations such as card rooms, bingo parlors, etc. tend to generate excessive traffic which adversely impacts surrounding properties, and

WHEREAS, the Council finds that certain so-called "adult" businesses such as adult bookstores, movie houses, topless establishments, massage parlors and similar businesses result in a lowering of surrounding property values which is detrimental to the surrounding property owners. This lower property value in turn leads to lower sales tax revenues and property tax revenues which causes an adverse financial impact on the City of Mill Creek, and

WHEREAS, the City Council finds that the so-called adult businesses frequently require more police response and protection thereby denying police services to other needed areas of the City, and

WHEREAS, the City Council declares that such uses may be suitable for some areas of the City, but not others where they are presently allowed under the current zoning ordinance of the City, and

WHEREAS, the City needs more time to fully study, analyze and determine the appropriate land use controls and areas for these businesses, now, therefore,

THE CITY COUNCIL OF THE CITY OF MILL CREEK, WASHINGTON, HEREBY RESOLVES AS FOLLOWS:

Section 1. In order to allow sufficient time for the City of Mill Creek to enact a comprehensive plan, zoning ordinance and adopt an official zoning map, the following businesses and uses shall not be allowed in the City of Mill Creek:

1. Card rooms and other legalized gambling operations;
2. Bingo parlors;
3. Adult bookstores, theatres, and novelty shops;
4. Massage parlors; and
5. So-called "topless" entertainment establishments whether provided in conjunction with alcoholic beverages or not.

Section 2. The City staff is prohibited from issuing any building or occupancy permit, granting any business license or any other license or permit which is required to be obtained by any of the businesses or uses described in Section 1 of this resolution.

Section 3. The Planning Commission and the staff are directed to consider the appropriate locations, if any, for such businesses to locate within the City of Mill Creek and to make such recommendations to the City Council as part of the

recommendations for adoption of the comprehensive plan, zoning ordinance and official zoning map.

Section 4. This resolution shall expire on December 31, 1984, unless further extended by action of the City Council.

RESOLVED this 24th day of April, 1984.

APPROVED:

Sid Hanson
MAYOR, SID HANSON

ATTEST/AUTHENTICATED:

Michelle Schutz
CITY CLERK, MICHELLE SCHUTZ

FILED WITH THE CITY CLERK: April 24, 1984
PASSED BY THE CITY COUNCIL: 4-24-84
RESOLUTION NO. 824-4