

RESOLUTION NO. 2014-05-03

A Resolution related to land use and zoning adopting interim land use regulations and official controls, pursuant to RCW 36.70A.390 and RCW 35.63.200 to prohibit the receipt, processing or approval of any application for adult entertainment enterprises including, but not limited to, the display of nude men or women.

WHEREAS, Washington Counties and Cities have experienced the effects of dealing with Adult Entertainment Enterprises; and

WHEREAS, these municipal bodies have found that Adult Entertainment Enterprises have negative secondary impacts on the communities including in residential areas near churches, parks, daycare facilities and schools; and

WHEREAS, adjacency of Adult Entertainment Enterprises reduces the desirability and value of nearby residential property; and

WHEREAS, these same uses impact the character of established neighborhoods; and

WHEREAS, law enforcement has determined that increased levels of criminal activity occur in and around adult entertainment land uses which implicate health and safety resources of Clark County; and

WHEREAS, Article 11, Section 11 of the Washington State Constitution authorizes the County to adopt police power regulations, and RCW 35.63.200 and RCW 36.70A.390 authorize the County to adopt interim land use regulations and official controls as the Board of County Commissioners deems necessary in the public's interest; and

WHEREAS, the Board of County Commissioners adopted an interim resolution but pursuant to state law, the board was required to hold a public hearing within 60 days to accept testimony on the interim resolution; and



WHEREAS, the Board held a duly advertised public hearing on May 13, 2014, and following that hearing, determined that it was appropriate to continue the interim resolution and establish a work plan moving forward to adopt protective measures to mitigate the effects of adult enterprises; now, therefore,

BE IT ORDERED, RESOLVED AND DECREED by the Board of County

Commissioners of Clark County, State of Washington as follows:

Section 1. The immediate moratorium on the location of Adult Entertainment Enterprises including, but not limited to, enterprises involving the display of nude men or women will be continued for six months. Clark County will not accept applications for Adult Entertainment Enterprises following adoption of this Resolution. This Resolution will terminate six months following adoption or upon adoption by the Board of a replacement Resolution, whichever action occurs first.

Section 2. Staff is directed to create a work plan, providing notice to interested parties, to examine where such uses are compatible and those mitigations necessary to reasonably protect neighbors and the public. Thereafter, the proposed plan will be presented to the planning commission at a duly advertised public hearing.

Section 2. Pursuant to RCW 36.70A.106, this Resolution shall be transmitted to the Washington State Department of Commerce as required by law.

ADOPTED THIS 13th day of May, 2014.

Attest:

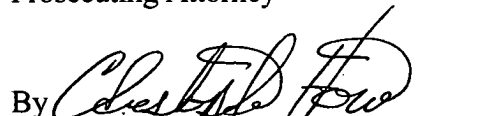

Clerk to the Board

BOARD OF COUNTY COMMISSIONERS
CLARK COUNTY, WASHINGTON

By 
Tom Mielke, Chair

Approved as to Form Only:
ANTHONY GOLIK
Prosecuting Attorney

By _____
David Madore, Commissioner

By 
Christopher Horne, WSBA #12557
Chief Civil Deputy