

ORIGINAL

ORDINANCE NO. 329

AN ORDINANCE OF THE CITY OF SHORELINE, WASHINGTON APPROVING A SPECIAL USE PERMIT FOR THE PURPOSE OF INTENSIFYING A NONCONFORMING GAMBLING USE BY ADDING SATELLITE OFF TRACK WAGERING AT 17001 AURORA AVENUE NORTH

WHEREAS, certain property, located at 17001 Aurora Avenue North , is designated on the Zoning Map as Industrial and Residential 12 units/acre, and on the Comprehensive Plan Map as Community Business; and

WHEREAS, gambling as a use is permitted at 17001 Aurora Avenue North as a legal nonconforming use; and

WHEREAS, legal nonconforming gambling uses may be expanded or intensified subject to the approval of a Special Use Permit; and

WHEREAS, owners of certain property, located at 17001 Aurora Avenue North have filed an application for Special Use Permit for the purpose of intensifying the existing nonconforming gambling use by adding satellite off track wagering; and

WHEREAS, on June 5, 2003, a public hearing on the application for Special Use Permit was held before the Planning Commission for the City of Shoreline pursuant to notice as required by law; and

WHEREAS, on June 5, 2003, the Planning Commission recommended approval the special use permit and entered findings of fact and a conclusion based thereon in support of that recommendation; and

WHEREAS, upon consideration of the application and the Planning Commission recommendation, the City Council has determined that the special use permit application for the property located at 17001 Aurora Avenue North meets the Section 20.30.330 B Special Use Permit Criteria and Section 20.40.372 Supplemental Index Criteria for Gambling;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SHORELINE DO
ORDAIN AS FOLLOWS:**

Section 1. Findings. The Findings and Conclusions on File No. 201218 as attached hereto as Exhibit 1, are hereby adopted.

Section 2. Special Use Permit. A Special Use Permit is hereby approved for the intensification of a nonconforming gambling use to add satellite off track wagering to 17001 Aurora Avenue North subject to the conditions attached in Exhibit 2.

Section 3. Severability. If any provision of this ordinance or the application of a provision to any person or circumstance, is declared invalid, then the remainder of this Agreement, or the application of such provision to other persons or circumstances, shall not be affected.

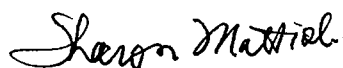
Section 3. Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

PASSED BY THE CITY COUNCIL ON JUNE 23, 2003.



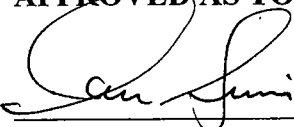
Mayor Scott Jepsen

ATTEST:



Sharon Mattioli, CMC
City Clerk

APPROVED AS TO FORM:



Ian Sievers
City Attorney

Date of Publication: June 26, 2003
Effective Date: July 1, 2003