

# ORIGINAL

## ORDINANCE NO. 347

### 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 16708 AURORA AVENUE NORTH

WHEREAS, certain property, located at 16708 Aurora Avenue North, is designated on the Zoning Map as Regional Business, and on the Comprehensive Plan Map as Community Business; and

WHEREAS, gambling as a use is permitted at 16708 Aurora Avenue North as a nonconforming use; and

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

WHEREAS, owners of certain property, located at 16708 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 February 19, 2004, 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 February 19, 2004, the Planning Commission recommended approval of 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 16708 Aurora Avenue North is approved;

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

**Section 1. Findings.** The Findings and Conclusions of the Shoreline Planning Commission as attached hereto as Exhibit 1 are hereby adopted.

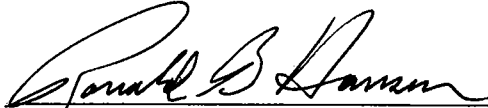
**Section 2. Special Use Permit.** A Special Use Permit is hereby approved for the intensification of a nonconforming gambling use to add satellite off track wagering to 16708 Aurora Avenue North subject to the conditions in Exhibit 2.

**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.

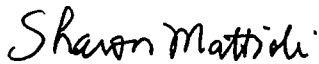
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**Section 3.** Effective Date. This ordinance shall go into effect five days after passage, and publication of the title as a summary of this ordinance.

**PASSED BY THE CITY COUNCIL ON MARCH 22, 2004.**

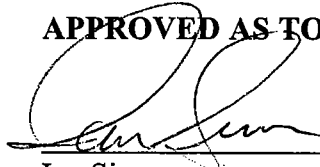
  
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Mayor Ronald B. Hansen

**ATTEST:**



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Sharon Mattioli  
City Clerk

**APPROVED AS TO FORM:**



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Ian Sievers  
City Attorney

Date of Publication: March 25, 2004  
Effective Date: March 30, 2004