



# City of Seattle

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May 3, 2007

Honorable Councilmember Peter Steinbrueck  
Chair, Urban Development and Planning Committee  
Seattle City Council  
PO Box 34025  
Seattle, WA 98124-4025

### **RE: Proposed Land Use Code Amendments Relating to Adult Cabarets**

Dear Councilmember Steinbrueck:

The Planning Commission is pleased to provide you and the City Council with its comments and recommendations on Council Bill 115871 regarding adult cabarets. On April 14, 2006 the Seattle Planning Commission was asked to assist the Urban Development and Planning committee in its review of proposed legislation (C.B. 115522). The Commission conducted a thorough analysis of the proposed legislation and on September 14, 2006 released its report and recommendations. Based on several factors including the findings of the Commission report, the City Council UDP Committee drafted a new proposal to address the land use treatment of adult cabarets in the City of Seattle. The Planning Commission has been asked to review and provide a recommendation to the UDP committee's proposal.

Based on the findings of our September 14, 2006 report we find the proposed Land Use Code amendments requiring buffers for new or expanding Adult Cabarets as outlined in Council Bill 115871 to be reasonable and consistent with the Commissions recommendations and analysis.

### **Relevant findings from the Planning Commissions September 14, 2006 report on Adult Cabarets**

- We recommended that the current city-wide dispersement policy remain in place allowing adult cabarets in all commercial and industrial zones, except in NC1 zones and the Duwamish MIC.
- The use of buffers and other regulatory tools are used by other municipalities and detailed the information from our own research in that regard. It was our opinion that it seems appropriate to consider those tools for Seattle in conjunction with our current regulations.
- With regard to buffers, we recommended that it will be necessary to determine the optimal size. The buffer would need to be large enough to be effective in protecting nearby sensitive uses, yet still allow for legally defensible location opportunities.

- We questioned whether all the listed uses in the Mayor's proposal required the same buffer distance and whether some of the listed uses warrant a buffer at all. For instance, we do not believe that light rail stations need to be buffered from adult cabarets.
- We stated that based on the material reviewed, we do not believe that a compelling planning-based argument was made to change the existing policy from the current city-wide dispersal of this land use to limiting it to the Duwamish area.
- Our research led us to believe that dispersing adult entertainment uses has been more successful in other cities in handling the potential negative impacts that these uses might have. Based on the experience of these other cities, it appears that dispersion lowers the impact of adult uses overall.
- We also found that, based on the experience of other cities, the larger the permitted area allowed the less concentration of uses. One way to ensure dispersal would be to require buffers between cabarets and not just between cabarets and sensitive uses. We recommended this be researched to understand the impact and whether the allowable areas would be large enough to accommodate such buffers.

The Planning Commission is an independent citizen volunteer advisory body that provides advice and recommendations to City officials on broad planning goals, policies and plans for the physical development of Seattle. The Planning Commission is made up of dedicated individuals who bring their collective knowledge and expertise to bear in creating their advice. This collective knowledge includes background in land use law, neighborhood planning, environmental impact analysis, economic and community development, land use and transportation planning, affordable housing, architecture, and historic preservation among others. Much of this experience has come to bear in the Commission's review of the city's policies regulating adult cabarets in the land use code.

We recognize that regulating adult entertainment uses is a very difficult challenge and requires a delicate balance between what is legally permissible and what is politically possible. In that regard, we want to acknowledge the careful consideration and efforts by the Department of Planning and Development, the Mayor's office and Council Central staff who all took ample time to meet with the Commission and to provide us with significant assistance. The Planning Commission thanks you for this opportunity to assist you in your work and hope that we have been a valuable resource as an independent expert review body.

Sincerely,



Jerry Finrow, Chair

cc: Mayor Greg Nickels  
Tim Ceis, Deputy Mayor  
Diane Sugimura, Director, DPD  
John Rahaim, DPD  
John Skelton, DPD

Seattle City Council Members  
Rebecca Herzfeld, Council Central Staff  
Martha Lester, Council Central Staff