

## Chapter 20.60 - ADULT ENTERTAINMENT BUSINESSES

### Sections:

**20.60.010 Purpose**

**20.60.020 Definitions**

**20.60.030 Location**

### **20.60.010 Purpose**

It is the intent of this chapter to prevent community-wide adverse economic impacts, increased crime, decreased property values, and the deterioration of neighborhoods which can be brought about by the concentration of adult entertainment businesses in close proximity to each other or proximity to other incompatible uses such as schools for minors, churches, and residentially zoned districts or uses. The City Council finds that it has been demonstrated in various communities that the concentration of adult entertainment businesses causes an increase in the number of transients in the area, and an increase in crime, and in addition to the effects described above can cause other businesses and residents to move elsewhere. It is, therefore, the purpose of this chapter to establish reasonable and uniform regulations to prevent the concentration of adult entertainment businesses or their close proximity to incompatible uses, while permitting the location of adult businesses in certain areas.

This chapter identifies permitted locations for adult entertainment businesses within the City of Merced. Additional permit requirements for adult entertainment business can be found in Chapter 5.58 (Adult Entertainment Businesses) of the Merced Municipal Code.

### **20.60.020 Definitions**

See Chapter 5.58 (Adult Entertainment Businesses) for definitions of adult entertainment businesses and related activities used in this Chapter as well as the following definitions:

- A. Church.** The term "church," as used in this article, is a structure that is used primarily for religious worship and related religious activities.
- B. School.** The term "school" is any child or day care facility, or an institution of learning for minors, whether public or private, offering instruction in those courses

of study required by the California Education Code and maintained pursuant to standards set by the State Board of Education. This definition includes a nursery school, kindergarten, elementary school, middle or junior high school, senior high school, or any special institution of education, but it does not include a vocational or professional institution of higher education, including a community or junior college, college, or university.

### **20.60.030 Location**

- A. Zoning Districts.** Adult entertainment businesses shall be established or located only within the Light Industrial (I-L) or Heavy Industrial (I-H) zoning districts.
- B. Distance Requirements.**
1. An adult entertainment business shall not be established or located within:
    - a. 1,000 feet of any other adult business; or
    - b. 1,000 feet from any residential zone or use, park, religious facility, or school.
  2. Minimum distances shall be measured as a direct line from the primary entrance of the adult entertainment business to the nearest property lines of the uses identified above.
- C. Establishment Defined.** The establishment of an adult entertainment business (as defined in Chapter 5.58 or any other business with similar operating characteristics or where “specified anatomical areas” as defined in Chapter 5.58 are regularly depicted, described, or displayed) shall mean:
1. The opening or commencement of any adult entertainment business as a new business;
  2. The conversion of an existing business, whether or not an existing adult business, to any adult entertainment business defined in the Chapter 5.58 (Adult Entertainment Businesses);
  3. The addition of any new activities associated with an adult entertainment business as defined in the Chapter 5.58 (Adult Entertainment Businesses) to any existing adult entertainment business; or,
  4. The relocation of any adult entertainment business.