

SECTION 31

ADULT USES

Section

- 20-31-1: Purpose
- 20-31-2: Adult Use-General
- 20-31-3: Adult Use-Principal
- 20-31-4: Adult Use-Accessory

20-31-1: **PURPOSE:** The nature of adult uses is such that they are recognized as having adverse secondary characteristics, particularly when they are accessible to minors and located near residential property or related residential uses such as schools, day care centers, libraries or parks. Furthermore, the concentration of adult uses has an adverse effect upon the use and enjoyment of adjacent areas. The nature of adult uses requires that they not be allowed within certain zoning districts, or within minimum distances from each other or residential uses. Special regulation of adult uses is necessary to ensure that the adverse secondary effects would not contribute or enhance criminal activity in the area of such uses nor will it contribute to the blighting or downgrading of the surrounding property and lessening of its value.

20-31-2: **ADULT USE-GENERAL:** Adult uses as defined in this Chapter shall be subject to the following general provisions:

- A. Activities classified as obscene as defined by Minnesota Statute 617.241 are not permitted and are strictly prohibited.
- B. Adult uses, either principal or accessory, shall be prohibited from locating in any building which is also utilized for residential purposes.
- C. Adult uses, either principal or accessory, shall be prohibited from locating in any place which is also used to dispense or consume alcoholic beverages.
- D. An adult use which does not qualify as an accessory use shall be classified as an adult use-principal.

20-31-3: **ADULT USES-PRINCIPAL:**

- A. Adult use-principal shall be located at least six hundred (600) radial feet, as measured in a straight line from the closest point of the property line of the building upon which the adult use-principal is located to the property line of:

1. Residentially zoned property
 2. A licensed day care center
 3. A public or private educational facility classified as an elementary, junior high or senior high
 4. A public library
 5. A public park
 6. Another adult use-principal
 7. An on-sale liquor establishment
- B. Adult use-principal shall be located at least six hundred (600) radial feet as measured from one another.
- C. Adult use-principal activities, as defined by this Chapter, shall be classified as one use. No two adult uses-principal shall be located in the same building or upon the same property and each use shall be subject to Section 20-31-2.B and C.
- D. Adult use-principal shall adhere to the following signing regulations.
1. Sign messages shall be generic in nature and shall only identify the type of business which is being conducted; and
 2. Shall not contain material classified as advertising; and
 3. Shall comply with the requirements of size and number for the district in which they are located.
- E. Adult use-principal activities shall be prohibited at any public show, movie, caravan, circus, carnival, theatrical, or other performance or exhibition presented to the general public where minors are permitted.

20-31-4: **ADULT USES-ACCESSORY:**

- A. Adult use-accessory shall:
1. Comprise no more than ten (10) percent of the floor area of the establishment in which it is located.
 2. Comprise no more than twenty (20) percent of the gross receipts of the entire business operation.
 3. Not involve or include any activity except the sale or rental of merchandise.
- B. Adult use-accessory shall be restricted from and prohibit access to minors by the physical separation of such items from areas of general public access:

1. Movie Rentals. Display areas shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the persons responsible for the operation or controlled in some other effective manner which meets with the approval of the Zoning Administrator.
 2. Magazines. Publications classified or qualifying as adult uses shall not be accessible to minors and shall be covered with a wrapper or other means to prevent display of any material other than the publication title.
 3. Other Use. Adult uses-accessory not specifically cited shall comply with the intent of this section subject to the approval of the Zoning Administrator.
- C. Adult use-accessory shall be prohibited from both internal and external advertising and signing of adult materials and products.
- D. Adult use-accessory activities shall be prohibited at any public show, movie, caravan, circus, carnival, theatrical or other performance or exhibition presented to the general public where minors are permitted.