

Division 2. Commercial Uses.**§ 25-2-801 ADULT-ORIENTED BUSINESSES.****(A) In this title:**

- (1) **ADULT ARCADE** means a movie arcade, game arcade, or other business that primarily offers still or motion pictures or games that emphasize specified sexual activities or specified anatomical areas.
- (2) **ADULT BOOKSTORE** means a business:
 - (a) that primarily offers books, magazines, films or videotapes, periodicals, or other printed or pictorial materials that emphasize specified sexual activities or specified anatomical areas; and
 - (b) in which at least 35 percent of the gross floor area is devoted to offering merchandise described in Subsection (A)(2)(a).
- (3) **ADULT CABARET** means a business that primarily offers live entertainment that emphasizes specified sexual activities or specified anatomical areas.
- (4) **ADULT LOUNGE** means an adult cabaret that serves alcoholic beverages.
- (5) **ADULT NOVELTY SHOP** means a business that primarily sells products that emphasize specified sexual activities or specified anatomical areas, and in which at least 35 percent of the gross floor area is devoted to the sale of those products.
- (6) **ADULT-ORIENTED BUSINESS** means an adult arcade, adult bookstore, adult cabaret, adult lounge, adult novelty shop, adult service business, or adult theater.
- (7) **ADULT SERVICE BUSINESS** means an adult encounter parlor, adult retreat, nude modeling studio, or a commercial enterprise that holds itself out to be primarily in the business of offering a service that is distinguished or characterized by an emphasis on depicting, describing, or relating to specified sexual activities or specified anatomical areas.
- (8) **ADULT THEATER** means a business that primarily exhibits motion pictures that emphasize specified sexual activities or specified anatomical areas.
- (9) **SPECIFIED SEXUAL ACTIVITIES** means:
 - (a) human genitals in a state of sexual stimulation or arousal;
 - (b) acts of human masturbation, sexual intercourse, or sodomy; or
 - (c) erotic touching of human genitals, the pubic region, the buttock, or the female breast.
- (10) **SPECIFIED ANATOMICAL AREAS** means:
 - (a) less than completely and opaquely covered:
 - (i) human genitals or pubic region;
 - (ii) buttock; or

(iii) female breast below a point immediately above the top of the areola; or

(b) human male genitals in a discernibly turgid state, even if completely and opaquely covered.

(B) On-premises advertisements, displays, or other promotional materials for an adult-oriented business that emphasize specified sexual activities or specified anatomical areas must not be visible from public or semi-public places outside the business.

(C) Except as provided in Subsection (E), an adult-oriented business other than an adult lounge is a permitted use in a CBD, DMU, CS, CS-1, or CH zoning district.

(D) Except as provided in Subsection (E), an adult lounge is a permitted use in a CBD zoning district, and a conditional use in a DMU, CS-1, or CH zoning district.

(E) An adult-oriented business may not be located on a lot:

(1) that is within 1,000 feet of a lot on which another adult-oriented business is located;

(2) that is within 1,000 feet of a lot on which a school, church, public park or playground, or licensed day-care center is located; or

(3) where 50 percent or more of the lots within a 1,000 foot radius are zoned or used for a residential use.

(F) A radius or distance described in Subsection (E) is measured from the midpoint of a line joining the two most distant points on the boundaries of the lot.

Source: Section 13-2-265; Ord. 990225-70; Ord. 031211-11.

§ 25-2-802 ART GALLERY AND ART WORKSHOP USES.

(A) For an art gallery use in a general office (GO) or more restrictive district, the sale of art supplies, equipment, or accessories is prohibited.

(B) This subsection applies to an art workshop use in a community commercial (GR) or more restrictive district.

(1) The use may not:

(a) exceed 5,000 square feet of gross floor area; or

(b) produce external noise, vibration, smoke, dust, odor, heat, glare, fumes, electrical interference, or waste runoff.

(2) The following are prohibited:

(a) the outdoor storage of materials; and

(b) the use of welding equipment, fiberglass, or epoxy.

Source: Ord. 040617-Z-1.

§ 25-2-803 COMMERCIAL BLOOD PLASMA CENTER CONDITIONAL USE REQUIREMENTS.

A commercial blood plasma center is a conditional use if the use is within:

(1) one-half mile of another commercial blood plasma center; or

(2) 540 feet of a lot zoned or used for a residence, church, public or private school, public park or playground, or day-care facility.

Source: Sections 13-2-233 and 13-2-333; Ord. 990225-70; Ord. 031211-11.