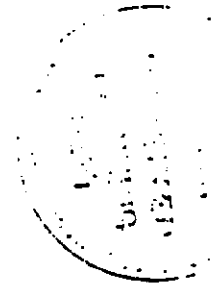


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Final Report to the City of Garden Grove:
The Relationship Between Crime and Adult Business Operations
on Garden Grove Boulevard

Richard McCleary, Ph.D.
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October 23, 1991

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I. Introduction and Executive Summary

This report summarizes an exhaustive series of statistical analyses conducted over a ten-month period by Richard McCleary, Ph.D., James W. Meeker, J.D., Ph.D., and five research assistants. This document presents the statistical analyses that we feel are the most relevant for the legal requirement of basing zoning restrictions on adult businesses on their negative impact on the community in terms of crime, decreased property value and decreased quality of life. It is constitutionally important that the City of Garden Grove base any restrictions on adult businesses on these so called "secondary effects" and not upon the content or moral offensiveness of such businesses. We are confident that any independent reanalysis will reach similar conclusions.

In July, 1990, we were contacted by the City Manager's Office and Police Department for advice on problems related to the operation of adult businesses on Garden Grove Boulevard. After years of experience with these businesses, the Police Department had come to suspect that their operation constituted a public safety hazard. Partly in response to this situation, the City had adopted a zoning ordinance which restricts the location and density of adult businesses. In order to withstand constitutional scrutiny, the City needs to be able to show that the ordinance was based on the negative secondary effects such businesses have on their surroundings and not on the content of these businesses or their morality. The precise dimensions of the negative impact of these businesses were unknown, however. It was not clear that the superficial spatial relationship between crime

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and these businesses was statistically significant, for example; and if the relationship was significant, it was not clear what aspect of the operation was responsible for the hazard. The exact extent of other negative effects, such as decreased property values and reduced quality of environment for others in the area, were also unknown.

In several meetings with the City Manager's Office and the Police Department during the summer and fall of 1990, and after reviewing several studies conducted by other cities to justify zoning restrictions on adult businesses, it was decided that we would assist the City in undertaking its own study. This study would consist of an extensive statistical analysis of the City's crime data, a survey of real estate professionals, and a survey of City residents living close to the currently operating adult businesses. The study was designed to focus on the following questions:

- Does crime increase in the vicinity of an adult business? If so, is the increase statistically significant and does it constitute a public safety hazard?
- Can the public safety hazard be ameliorated by requiring a minimum distance between adult businesses? What is the required minimum distance?
- Are there any other practical zoning restrictions that would ameliorate the public safety hazard?
- Are adult businesses associated with a decrease in property values?
- Are adult businesses associated with declining quality of neighborhood?

We agreed to conduct the surveys and appropriate statistical analyses under

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three conditions: First, we could expect to have any public data held by the Police Department or the City Manager's Office; second, we could expect the full cooperation of the Police Department and the City Manager's Office; and third, the City would accept any and all findings regardless of their implications for past, present, or future policy. These conditions were accepted in principle and honored in practice. We enjoyed an extraordinary degree of autonomy and cooperation from both the Police Department and the City Manager's Office.

In November, 1990, we began working with the Police Department to define the parameters of the crime data to be analyzed. The complete set of crime reports for 1981-90 were eventually downloaded and read into a statistical analysis system. The reliability of these data was ensured by comparing samples of the data downloaded from the Police Department computers with data archived at the California Bureau of Criminal Statistics and Federal Bureau of Investigation. Satisfied that the reliability of our data was nearly perfect, in January, 1991, we began the arduous task of measuring the absolute and relative distances between crime events. We were eventually able to measure the relevant distances for a subset of 34,079 crimes to within 40 feet of the actual occurrence with 99 percent confidence. In late January through April, 1991, these distances were analyzed in various models and with various methods. The results of these analyses show that:

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● Crime rises whenever an adult business opens or expands its operation and the change is statistically significant. The rise is found in the most serious crimes, especially assault, robbery, burglary, and theft. The rise in "victimless" crimes (drug and alcohol use, sex offenses, etc.) is also significant, though less consistent and interpretable. Given the nature and magnitude of the effects, *the adult businesses on Garden Grove Boulevard constitute a serious public safety hazard.*

● Except for expansions, the adult businesses were in operation at their present locations on Garden Grove Boulevard prior to 1981. There has been so little variation in spatial density since then that *the relationship between density and crime cannot be determined.*

● Architectural devices designed to ameliorate the nuisance of these businesses have no significant impact on crime.

● When an adult business opens within 1000 feet of a tavern (or *vice versa*) the impact of the adult business on crime is aggravated substantially and significantly.

During this same period of time, two questionnaire instruments were developed and administered. In January and February, 1991, a sample of real estate professionals was surveyed. Over nine hundred questionnaires were distributed with a response rate of fifteen percent. The results of this survey show that:

● Real estate professionals overwhelmingly agree that close proximity of adult businesses are associated with decreased property values for commercial, single-family residential and multiple-family residential property.

● Real estate professionals associate the close proximity of adult business with increased crime and other negative impacts on the quality of the neighborhood.

During the spring and summer, 1991, a random sample of households living near the adult businesses was surveyed. The results of this survey show that:

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- Residents who live near adult businesses, as well as those who live farther away, associate adult businesses with increased crime and other negative impacts on the quality of the neighborhood.
- A large proportion of residents who live near adult businesses report personal negative experiences that are attributed to these businesses.
- Public support for regulation of adult businesses is overwhelming. While virtually all segments of the community voice support for all regulatory initiatives, home owners and women are the strongest supporters of regulation.

Each of these findings is fully supported by every bit of data available to us and by every analysis that we conducted.

The crime data and analyses underlying our four major research tasks are described in subsequent sections. Most readers will be more interested in the policy recommendations based on these analyses, however. Based on the four major components of our research, we recommend that:

- *Lacking any conclusive evidence on the relationship between spatial density and crime, there is no reason to change the current 1000 foot minimum spacing requirement between two adult businesses.*
- *Given the serious public safety hazard, no adult business should operate within 1000 feet of a residence.*
- *Where feasible, the Conditional Use Permit process should be used to ameliorate the public safety hazard. For optimal effectiveness, the Police Department must be fully involved in every aspect of this process.*
- *Given the interaction effect, no tavern should be allowed to operate within 1000 feet of an adult business and vice versa.*
- *The evidence clearly supports the current city ordinance in demonstrating the presence of negative secondary effects associated with location and density of adult businesses as required by current federal and state case law.*

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These recommendations are informed by an understanding of the legal foundation of the problem. After developing that foundation in the following section, we present our analyses of crime patterns in Garden Grove and two related opinion surveys.

II. Legal Requirements For Controlling Adult Businesses

The legal control and regulation of pornography in general and "adult entertainment" businesses specifically has a long and controversial history. The 1970 Commission on Obscenity and Pornography overwhelmingly voted to eliminate all legal restrictions on use by consenting adults of sexually explicit books, magazines, pictures, and films.¹ While President Nixon, who appointed the Commission, was not pleased with the findings, they were consistent with the general liberal view that pornography should be tolerated as a matter of individual choice and taste unless it directly harms others.² The Williams Committee in England supported a similar position in 1979.³ Alternatively, the 1986 Attorney General's Commission on Pornography called for a more aggressive enforcement of obscenity laws and regulation of pornography that it deemed harmful even if not legally obscene.⁴

The current judicial doctrinal standard that governs the difficult balance of constitutionally protected free speech and the direct regulation of pornography, is

¹ *Report of the Commission on Obscenity and Pornography* (Bantam Books, 1970).

² See D.A. Downs, *The New Politics of Pornography* (University of Chicago Press 1989).

³ See W.A. Simpson, *Pornography and Politics: Report of the Home Office* (Waterlow Publishers, 1983).

⁴ Attorney General's Commission on Pornography, *Final Report* (U.S. Department of Justice, 1986).

found in *Miller v. California* 413 U.S. 15 (1973):

(a) whether "the average person, applying contemporary community standards' would find that the work, taken as a whole, appeals to the prurient interest; (b) whether the work depicts or describes, in a patently offensive way, sexual conduct specifically defined by the applicable state law; (c) whether the work, taken as a whole, lacks serious literary, artistic, political, or scientific value. (24)

Despite this standard, the Attorney General's Commission concluded that:

[after the *Miller* decision]... the nature and extent of pornography in the United States has changed dramatically, the materials that are available today are more sexually explicit and portray more violence than those available before 1970. The production, distribution and sale of pornography has become a large, well-organized and highly profitable industry.⁵

Indeed, there is some empirical evidence to suggest that the number of prosecutions⁶ and appeals⁷ of obscenity convictions have declined nationwide.⁸

Recently much of the local control of pornography has been of a more indirect nature given the difficulties of direct regulation and legal constraints involving First Amendment rights. One rather unique approach has been the attempt to regulate pornography as a violation of women's civil rights. This use of

⁵ *Final Report supra* note 4 at 461.

⁶ The New York Obscenity Project, "An Empirical Inquiry in to the Effects of *Miller v. California* on the Control of Obscenity", *New York University Law Review* 52:843 (1977).

⁷ R.E. Riggs, "Miller v. California Revisited: An Empirical Note," *Brigham Young University Law Review* 2:247 (1981).

⁸ See generally *Downs*, *supra*, note 2 at 20.

anti-discrimination statutes was first tried by Minneapolis⁹ but has failed to catch on in general.¹⁰ However, many municipalities have been very successful in regulating where pornographic businesses and adult entertainment businesses can locate through the use of zoning laws.

Municipalities have followed two major strategies in regulating the location of adult entertainment businesses. One approach is to concentrate adult businesses in a limited area, often called the Boston or "combat zone" approach. The other approach follows the opposite tactic by dispersing adult entertainment businesses, preventing their concentration, often called the Detroit approach.¹¹

In Boston, adult entertainment businesses had been unofficially concentrated in a specific area of the city for many years.¹² This "combat zone" was officially established as the Adult Entertainment District in 1974. It was felt that by formally restricting such businesses to an area where they were already established would prevent the spreading of these businesses to neighborhoods

⁹ Minneapolis Code of Ordinances (MCO), Title 7, ch. 139.20, sec. 3, subd. (gg), (1).

¹⁰ See *Downs supra* note 2.

¹¹ For a general discussion of these two approaches see Planning Committee of the Los Angeles City Council, *Study of the Effects of the Concentration of Adult Entertainment Establishments In the City of Los Angeles*, Los Angeles City Planning Department (June, 1977) (Hereinafter *LA Study*).

¹² This discussion of Boston and the "combat zone" approach is taken from the *LA Study id.*, at 9-10.

where they were deemed inappropriate. In addition, concentration of adult businesses might aid in the policing of such activities and would make it easier for those who wanted to avoid such businesses to do so. There has been some question as to the effectiveness of this regulatory approach, as the *LA Study* observed:

The effectiveness and appropriateness of the Boston approach is a subject of controversy. There has been some indication that it has resulted in an increase in crime within the district and there is an increased vacancy rate in the surrounding office buildings. Due to complaints of serious criminal incidents, law enforcement activities have been increased and a number of liquor licenses in the area have been revoked. Since the "Combat Zone" and most of the surrounding area are part of various redevelopment projects, however, the change in character of the area cannot be attributed solely to the existence of "adult entertainment" businesses.¹³

The other approach that municipalities have followed is the dispersement model, sometimes called the Detroit model. In 1972 Detroit modified an "Anti-Skid Row Ordinance" to provide that subject to waiver, an adult theater could not be located within 1,000 feet of any two other "regulated uses" or within 500 feet of a residential area. Regulated uses applied to ten different kinds of business establishments including adult theaters, adult book stores, cabarets, bars, taxi dance halls and hotels. This statutory zoning approach to regulating adult business was legally challenged and subsequently upheld by the Supreme Court as

¹³ *Id.*, at 9.

such zoning laws. In *Renton v. Playtime Theatres, Inc.*¹⁶ the Supreme Court held such statutes cannot be enacted for the purpose of restraining speech but have to be "content-neutral" time, place, and manner regulations designed to serve a substantial governmental interest and not unreasonably limit alternative avenues of communications. In making this determination the court must look to the municipality's motivation and purpose for enacting the statute. If the statute is primarily aimed at suppressing First Amendment rights it is content based and invalid. But, if it is aimed at the "secondary effects" such businesses have on the surrounding community, it is content neutral and therefore valid.

In making this determination the court must look at a number of factors, from the evidence the municipality offers to support a finding of secondary effects, to whether the zoning statute eliminates the possibility of any adult businesses within the jurisdiction of the municipality. It is the first factor this report is primarily concerned with.¹⁷ In the *Mini Theatres* case the Detroit Common Council made a finding that adult businesses are especially injurious to a

¹⁶ 475 U.S. 41 (1986)(Hereinafter *Renton*).

¹⁷ Even if an ordinance were enacted for the proper reasons the court still must determine whether the ordinance would effectively prevent any operation of an adult business within the municipality's jurisdiction, see *Walnut Properties, Inc v. City of Whittier* 808 F.2d 1331 (1986). However this is presumably not an issue for the City of Garden Grove's ordinance because the enforcement of the ordinance would still allow the operation of adult businesses in various locations throughout the city.

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constitutional in *Young v. American Mini Theatres, Inc.*¹⁴ This model has been adopted by numerous cities including Los Angeles and twelve other Southern California cities for controlling adult businesses.¹⁵

While the dispersal model has been found constitutionally valid, several subsequent court decisions have limited the way in which municipalities can adopt

¹⁴ 427 U.S. 50 (1976) (Hereinafter *Mini Theatres*). This decision is often cited as the legal basis for a dispersal approach, however the opinion appears to support the constitutionality of both the dispersal and concentration models:

It is not our function to appraise the wisdom of its [Detroit's] decision to require adult theaters to be separated rather than concentrated in the same areas. In either event, the city's interest in attempting to preserve the quality of urban life is one that must be accorded high respect. Moreover, the city must be allowed a reasonable opportunity to experiment with solutions to admittedly serious problems (427 U.S. 50, 71).

Indeed the Supreme Court upheld the Constitutionality of the concentration model in *Renton*, "Cities may regulate adult theaters by dispersing them, as in Detroit, or by effectively concentrating them, as in *Renton*." (infra note 16 at 52).

¹⁵ The best single source for information on this topic is the Los Angeles City Council Planning Committee. According to the *LA Study*:

Locally, the cities of Bellflower and Norwalk have enacted ordinances requiring adult bookstores and theaters to obtain a conditional use permit. As a part of their study the City of Bellflower surveyed over 90 cities in Southern California to determine how other cities were controlling adult bookstores. Of the cities which responded to the Bellflower survey, 12 require a conditional use permit for new bookstores. The conditions for obtaining such a permit generally include dispersal and distance requirements based upon the Detroit model. Bellflower also includes. (*LA Study* supra note ___ at 12).

The *LA Study* also presents a table listing 9 cities nationally that have taken a dispersal zoning approach (Id., Table 11).

neighborhood when they are concentrated. This was supported by expert opinion evidence:

In the opinion of urban planners and real estate experts who supported the ordinances, the location several such businesses in the same neighborhood tends to attract an undesirable quantity and quality of transients, adversely affects property values, causes an increase in crime, especially prostitution, and encourages residents and businesses to move elsewhere.¹⁸

The courts have not been very explicit in terms of the exact type and nature of the evidence of "secondary effects" that is required to uphold zoning ordinances regulating the location of adult businesses. On the one hand, failure to introduce any evidence linking secondary effects with the way the ordinance is enforced, is insufficient.¹⁹ On the other hand, a complete independent analysis of secondary effects in each jurisdiction that enacts such laws is not necessary. In *Renton*²⁰ the Supreme Court upheld an ordinance without benefit of an independent analysis.

¹⁸ *Mini Theatres* supra note 18 at 55.

¹⁹ "Here, the County has presented no evidence that a single showing of an adult movie would have any harmful secondary effects on the community. The County has thus failed to show that the ordinance, as interpreted by the County to include any theater that shows an adult movie a single time, is sufficiently "'narrowly tailored' to affect only that category of theatres shown to produce the unwanted secondary effects." *Renton* 106 S.Ct. at 931. Nor do we see how the County could make such a showing, since it is difficult to imagine that only a single showing ever, or only one in a year, would have any meaningful secondary effects." *Tollis, Inc. v. San Bernardino County* 827 F.2d 1329,1333 (9th Cir. 1987).

²⁰ *City of Renton v. Playtime Theatres, Inc.*, 475 U.S. 41, 106 S.Ct. 925, 89 L.Ed.2d 2a(1986).

In this case the City of Renton relied heavily upon the study of secondary effects done in Seattle to justify its ordinance. The Court held:

We hold that Renton was entitled to rely on the experiences of Seattle and other cities, and in particular on the "detailed findings" summarized in the Washington Supreme Court's [*Northend Cinema, Inc. v. Seattle*, 90 Wash. 2d 709, 585 P. 2d 1153 (1978)] opinion, in enacting its adult theater zoning ordinance. The First Amendment does not require a city, before enacting such an ordinance, to conduct new studies or produce evidence independent of that already generated by other cities, so long as whatever evidence the city relies upon is reasonably believed to be relevant to problem that the city addresses."²¹

The Los Angeles City Planning Department conducted a study of secondary effects in 1977,²² to support a spacing ordinance similar to the Detroit dispersal model. Since Garden Grove's ordinance follows the same model it may have been legally sufficient for the City of Garden Grove to rely on the Los Angeles study. However, the Los Angeles study is 19 years old and it could be argued that because of its size, population structure, real estate market, and other municipal characteristics, Los Angeles is not a good comparison city for Garden Grove.

Like the *LA Study*²³ this analysis relies on a multimethodological approach to analyze secondary effects associated with the location of adult businesses. Both an analysis of crime rates and surveys were conducted to analyze secondary effects

²¹ *Renton*, id., 475 U.S. 41 at 51-52.

²² See *LA Study* supra note

²³ Supra note 11.

associated with such businesses. Unlike the *LA Study* this analysis is more sophisticated in several respects.

The *LA Study* examined the secondary effect of crime rates and their association with adult business by comparing the crime rates of Hollywood area (which had a large concentration of adult businesses during the period studied, November 1975 and December 1976) to the rest of the city.²⁴ This analysis did show there was an increase in both Part I²⁵ and Part II²⁶ crimes associated with the Hollywood area and its higher concentration of adult businesses in comparison to the rest of the city. While supporting the presence of secondary effects, the analysis has several disadvantages for supporting a dispersion regulation model in Garden Grove.

The City of Garden Grove is not very similar to Hollywood, either in municipal character, or concentration and type of adult businesses.²⁷ More

²⁴ The analysis presented in the *LA Study* was taken from a report prepared by the Los Angeles City Police Department, *The Impact of Sex Oriented Businesses on the Police Problems in the City of Los Angeles*.

²⁵ Part I crimes include homicide, rape, aggravated assault, robbery, burglary, larceny, and vehicle theft.

²⁶ Part II crimes include other assaults, forgery and counterfeiting, embezzlement and fraud, stolen property, prostitution, narcotics, liquor law violations, gambling, and other miscellaneous misdemeanors.

²⁷ Hollywood in 1969 had 1 hard-core motel, 2 bookstores, 7 theaters, and 1 massage parlor/scam joint; in 1975 had 3 hard-core motels, 18 bookstores, 29 theatres, and 38 massage parlor/scam joints. (see *LA Study*, Table VI, p. 54). Garden Grove on the other hand only has seven bookstores and adult video stores.

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importantly, Garden Grove seeks to control adult businesses in terms of their location to schools, churches, and residences (200 feet) and in relation to each other (1000 feet).²⁸ To substantiate the relation between these distances and the secondary effects needed to justify the regulation, the analysis should demonstrate an association between the secondary effects and these distances. For example, if crime rates are higher within 1000 feet of an adult business than they are around other businesses, this demonstrates a stronger association between secondary effects and the regulation designed to control them. While areas of a city that have higher concentrations of adult businesses may have higher crime rates than other areas, this gives little support for regulation of specific distances between adult business and other land uses.

The *LA Study* also presents the analyzes of two questionnaires, one to businessmen and residential property owners, and one to realtors, real estate appraisers and lenders, to determine the effects of adult businesses. While the questionnaires do ask the respondents about possible negative effects, there was no distinction between the negative effects when the distances from adult businesses varied, nor when there were two or more such business located near each other. Both of these issues are important aspects of the Garden Grove ordinance.

²⁸ See Appendix for the Garden Grove ordinance.

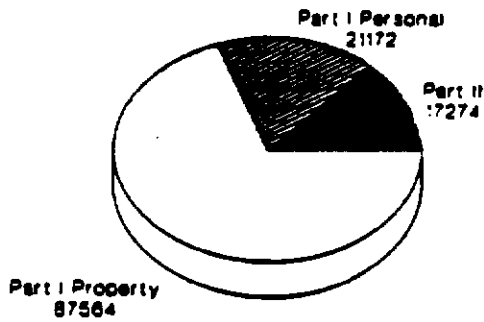
III. Crime in Garden Grove, 1981-1990

During the decade of our study, 1981-1990, the Garden Grove Police Department recorded 108,196 UCR Part I crimes (112 homicides, 548 rapes, 3,835 robberies, 16,677 assaults, 24,498 burglaries, 51,393 thefts, and 11,133 auto thefts) and 17,274 UCR Part II crimes (2,828 sexual offenses, 5,353 drug offenses, 5,651 alcohol offenses, 972 weapons offenses, and 2,460 disorderly conduct. Figure 1 lends perspective to these numbers. Part I crimes, which are ordinarily thought to be the "most serious" crimes, make up more than 85 percent of the total. Part II crimes, which include many of the so-called "victimless" crimes, make up less than fifteen percent of the total. Another important difference between these two categories is that, while Part I crimes almost always begin with a citizen complaint, Part II crimes may result from proactive policing. For this reason, Part II crimes have turned out to be less interesting to this study. Although we find a strong relationship between the distribution of Part II crimes (especially Part II sex offenses) and the locations of adult businesses, we cannot draw a valid causal relationship from this finding. Part I crimes are quite another matter.

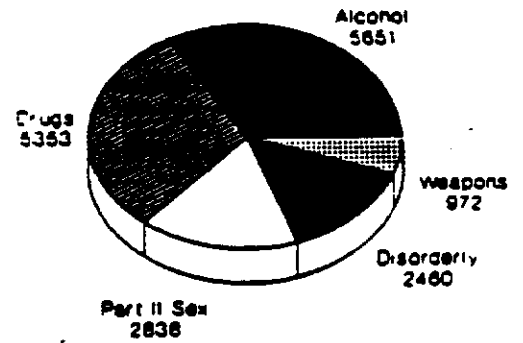
As shown in Figure 1, Part I crimes can be divided further into Personal and Property categories. Personal crimes (or crimes against the person) account for approximately twenty percent of the Part I total. Seventy-eight percent of Personal crimes are assaults; 18 percent are robberies, three percent are rapes,

Figure 1 - Distribution of Crimes in Garden Grove, 1981-1990

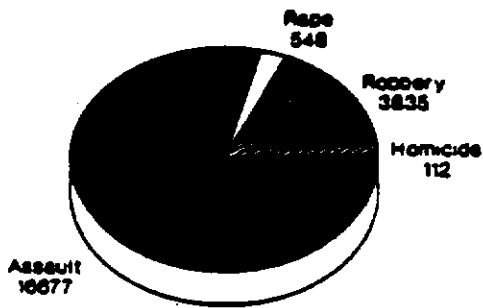
Total Crime



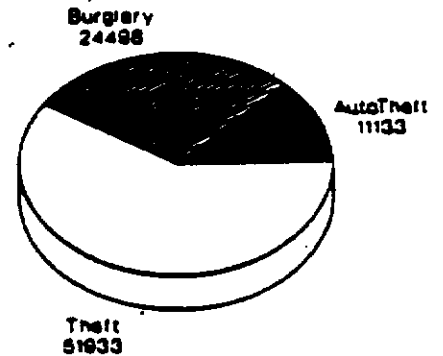
Part II



Part I Personal



Part I Property



and slightly less than one percent are homicides. Property crimes (or crimes against property) account for approximately eighty percent of the Part I total. Of these, 60 percent are thefts, 28 percent are burglaries, and 12 percent are auto thefts. Although it is tempting to think of Property crimes as less serious than Personal crimes, we caution the reader to remember that *every* crime has a deadly potential. Every armed robbery is a potential homicide. Every theft, burglary, or auto theft could quickly turn into a deadly confrontation. While subsequent analyses may distinguish among the seven crimes then, we do this for didactic purposes only. In our opinion, in practice, any Part I crime poses a serious threat to public safety.

With this *caveat*, we note that the mix of crimes in Garden Grove is not significantly different than the mix found in other California cities during the same period. This is also true of population-adjusted crime *rates*. Relative to other California cities, Garden Grove has neither a "high" or "low" crime rate.²⁹ To illustrate this point, Table 1 lists the 1985 Part I crime rates for twenty-four representative cities. Garden Grove ranks slightly above the median on homicide and auto theft, and slightly below the median on rape, robbery, assault, burglary,

²⁹ The Garden Grove Police Department is organized into community "teams," however, and it is generally believed that this organizational structure encourages police-citizen interaction, including reporting of crimes. Other things being equal, Garden Grove is expected to have a higher crime rate than a city whose police department is structured along more traditional lines.

Table 1 - Crimes per 100,000 Population for California Cities, 1985

	<i>Homicide</i>	<i>Rape</i>	<i>Assault</i>	<i>Robbery</i>	<i>Burglary</i>	<i>Theft</i>	<i>Auto Theft</i>
Anaheim	7.3	48.8	273.8	199.6	2351.	4348.	777.
Bakersfield	6.6	65.3	567.2	489.5	3651.	6649.	796.
Berkeley	10.6	41.6	638.7	435.5	2836.	7971.	841.
Concord	2.9	27.9	102.2	258.3	1376.	4076.	430.
Fremont	2.3	25.8	65.2	372.1	1354.	2969.	265.
Fresno	21.2	81.8	566.9	392.7	3632.	7745.	812.
Fullerton	4.9	32.3	168.2	201.5	1503.	4071.	503.
Garden Grove	10.5	38.1	325.2	293.6	2159.	4040.	693.
Glendale	2.9	12.2	189.1	140.2	1378.	2940.	663.
Hayward	6.4	38.5	267.1	405.0	1809.	4926.	503.
Huntington Beach	2.4	22.3	100.9	147.8	1378.	2883.	450.
Inglewood	28.7	112.6	1236.2	630.8	2417.	2586.	1660.
Modesto	4.7	52.4	187.0	276.7	1979.	6149.	505.
Ontario	9.0	76.6	327.6	713.8	2821.	4088.	699.
Orange	5.5	25.2	219.8	247.1	1712.	3540.	602.
Oxnard	6.5	61.9	294.8	300.4	2008.	3984.	527.
Pasadena	24.6	49.1	596.3	590.3	2262.	5110.	921.
Pomona	25.9	92.7	907.9	1035.1	3155.	4337.	911.
Riverside	8.2	57.4	340.0	690.5	2628.	4849.	570.
San Bernadino	14.3	87.6	876.3	914.2	3783.	5295.	1127.
Santa Ana	16.2	28.9	424.0	294.6	2498.	6612.	1134.
Stockton	18.2	61.4	475.4	497.7	3347.	7937.	739.
Sunnyvale	4.7	27.2	77.9	100.4	759.	2544.	245.
Torrance	3.1	28.5	254.9	202.5	1150.	3024.	865.

Source: Uniform Crime Reports, 1985

and theft. None of these rankings is significantly different than the median, of course, and furthermore, the rankings fluctuate slightly from year to year. While Garden Grove has an "average" crime rate relative to other cities, however, like any other city, Garden Grove has a range of "high" and "low" crime neighborhoods. We will address this point in greater detail shortly. For the present, it is important to note that crime rates vary widely across any city.

Crime rates also vary widely over time. To illustrate again, Figure 2 shows annual Part I and Part II crime totals for Garden Grove over the decade of this study, 1981-1990.³⁰ In some cases, auto-theft and assault, for example, crime appears to trend steadily upward. In other cases, particularly burglary, crime appears to trend steadily downward. In all cases, however, the trend is *only* apparent. *In every constant spatial area that we have examined for this report, we found ten-year trends to lie well within the bounds of stochastic error. In other words, we found no statistically significant trends.* For reasons too numerous, complicated, and obscure to be discussed here, time series of crime totals drift stochastically from year to year and it is the mathematical nature of a drifting process to appear to rise or fall systematically over time. Although this phenomenon has been widely reported by statisticians since the early 19th century, it is not well

³⁰ Since these are crime *totals* (not crime *rates*), Figure 2 must be interpreted cautiously. Due to annexation, in-migration, out-migration, and growth, the population of Garden Grove has changed dramatically over the last ten years.

Figure 2 - Annual Crime Trends in Garden Grove, 1981-1990

Annual Crime Trends

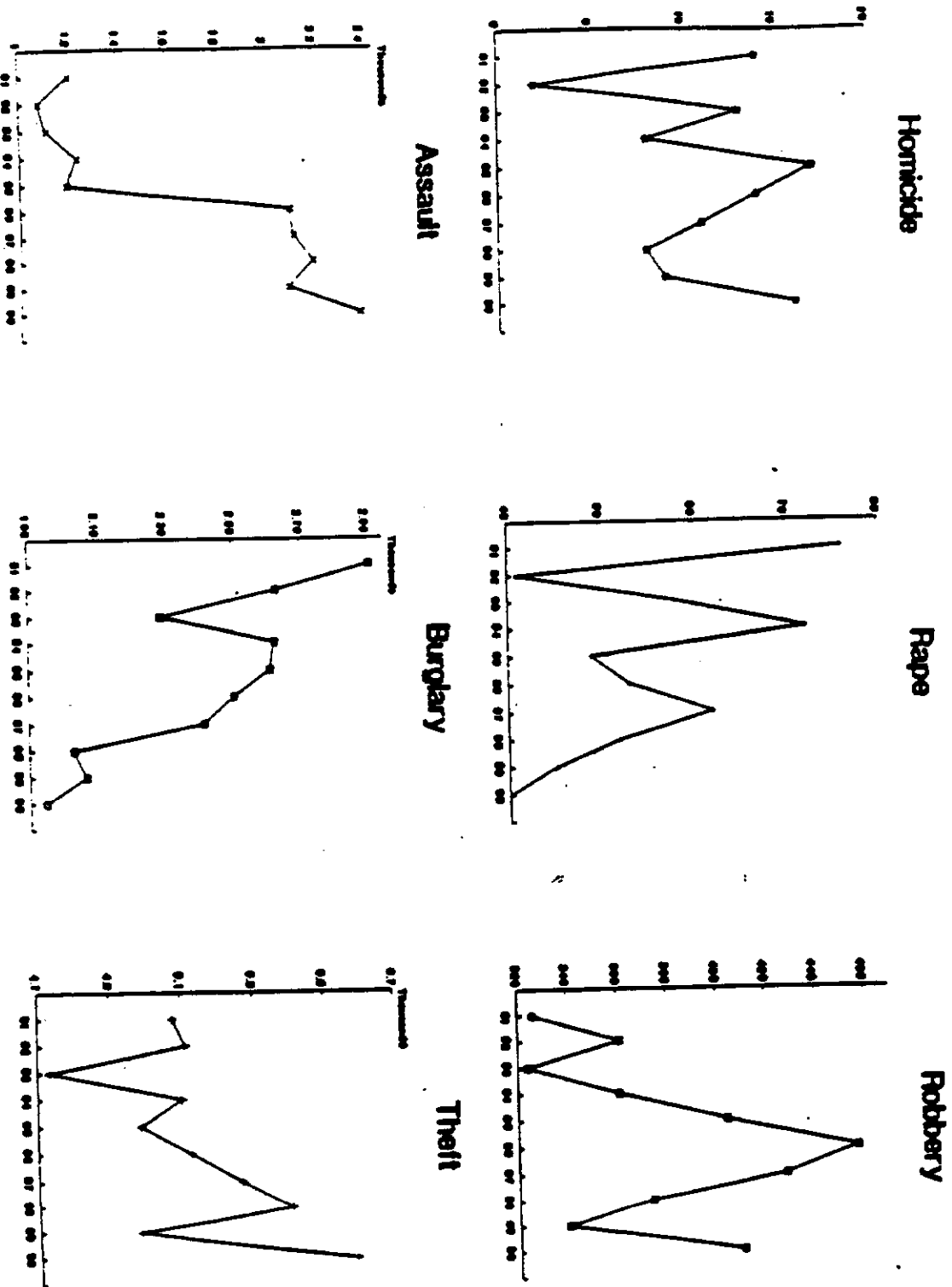
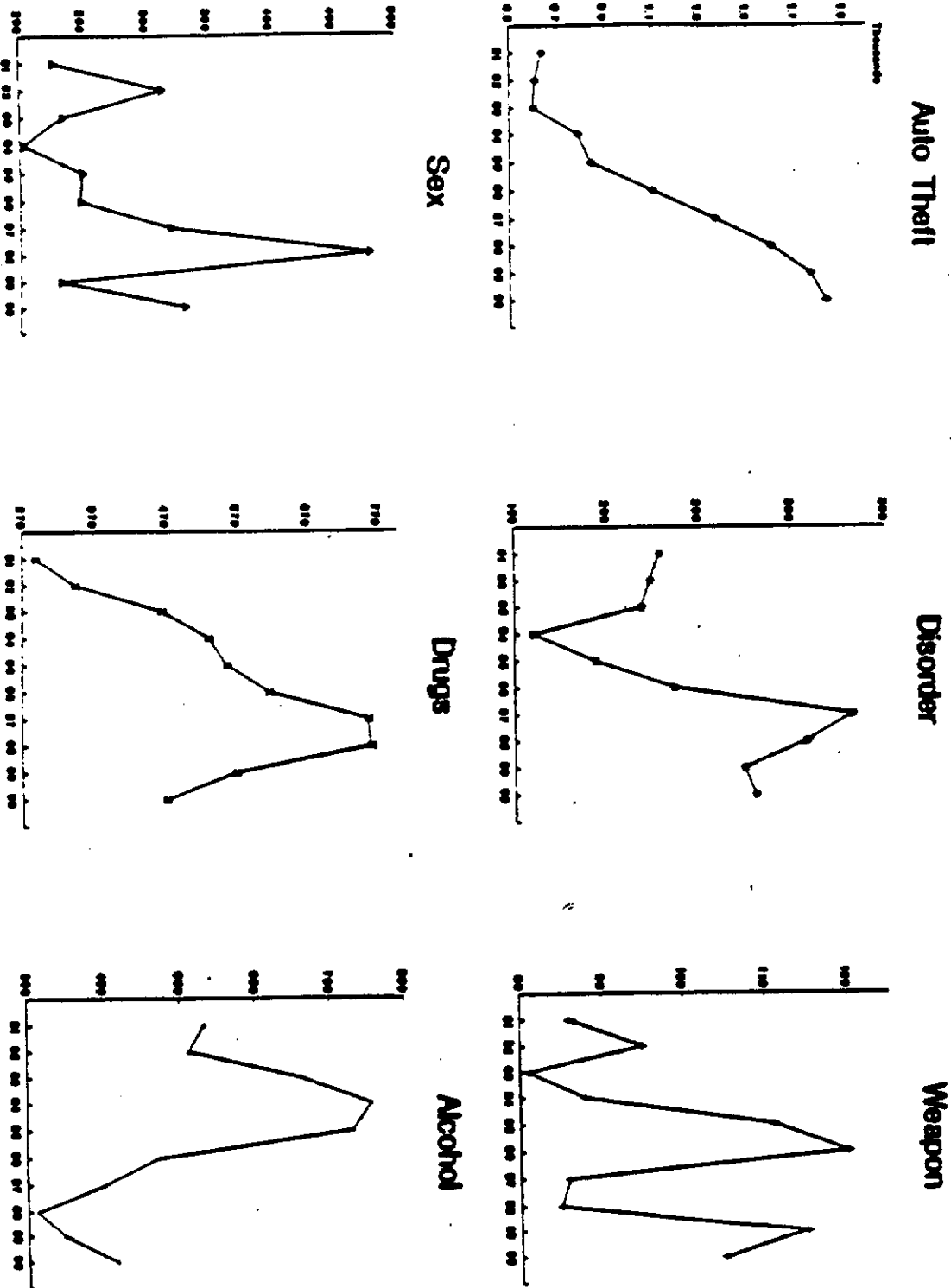


Figure 2 - Annual Crime Trends in Garden Grove, 1981-1990

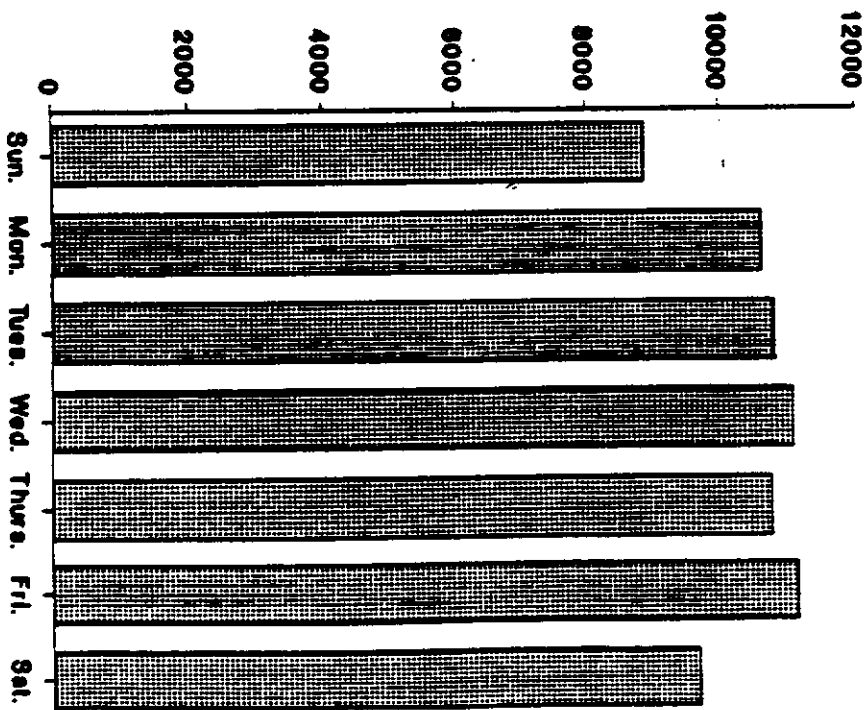
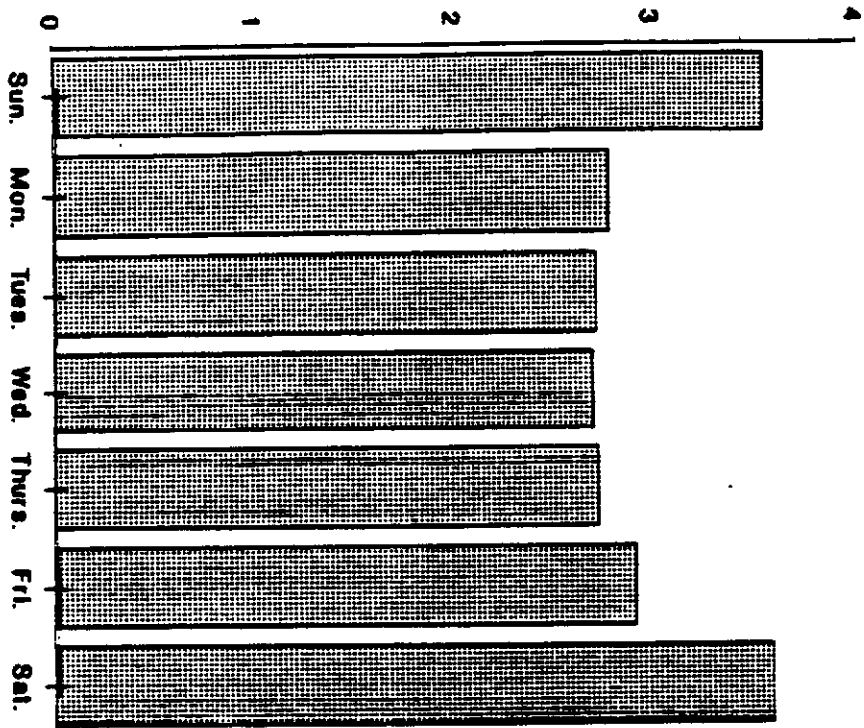
Annual Crime Trends



understood by popular media or the public. Nevertheless, each of the seven Part I crime trends is consistent with a "random" process and, hence, each is amenable to a statistical analysis. The five Part II crime trends, in contrast, are not at all consistent with a "random" process. To illustrate, note that total sex offenses *increase* (from 320 to 480) by fifty percent from 1987 to 1988 and then *decrease* (from 480 to 232) by fifty percent from 1988 to 1989. Annual changes of this magnitude lie well beyond the bounds of Normal "random" variation. In fact, the anomalous 1988 total is due to a concerted enforcement effort by the Garden Grove Police Department. Lacking complete information on Part II enforcement activities during the 1981-1990 decade, we cannot attribute changes in Part II crime rates to the operation of adult businesses. Although we report effects for Part II crimes in subsequent analyses, the only internally valid effects are for Part I crimes.

Figure 3 shows another type of trend. Examining the day of the week of the seven Part I crimes, a distinct pattern emerges. We see here that the occurrence of Personal crimes peaks on weekends. Conversely, Property crimes peak during midweek and are least likely to occur on weekends. The basis for this pattern is well established in theory: crimes occur when the *opportunity* is made available to a person who is inclined to commit criminal actions. Opportunity is defined differently for Personal and Property crimes, however. Personal crimes (especially anonymous robbery and assault committed against strangers) are best

Figure 3 - Crimes Weekday in Garden Grove, 1981-1990



conducted under cover of darkness, on an intoxicated victim, in a relatively deserted public location. These conditions presumably occur on weekend nights outside bars or adult businesses. In daylight, the desired anonymity is unobtainable and the vulnerable, prospective victims are not on the street. Thus, Personal crimes are committed most often on weekend nights.

The opposite pattern holds for Property crimes. These crimes, notably theft and burglary, are most often committed when the offender is least likely to encounter any witnesses. In theory, the best time to break into a residence undetected is during the weekday daytime hours when most occupants are away from home. For our purposes, however, the weekday patterns found in these data, as shown in Figure 3, are a simple confirmation of the reliability of our data. More important, perhaps, finding the same patterns in all four Personal crimes and all three Property crimes justifies collapsing Part I crimes into two broad categories. Hereafter, except where an effect or pattern varies across the Part I crimes, effects and patterns will be reported for Personal, Property, and Part II crime categories.

IV. The Impacted Area and the Public Safety Hazard

At present, seven adult-oriented businesses operate on Garden Grove Boulevard. The *Party House*, located at 8751 Garden Grove Boulevard, was in operation on December 16, 1980, when the City of Garden Grove annexed this area. Two other adult businesses, the *Bijou* and the *Video Preview Rental Center*, located at 8745 and 8743 Garden Grove Boulevard in the same building as the Party House, opened in March, 1986 and August, 1988 respectively. Given the proximity of these three businesses, their individual impacts on crime are confounded. Treating them as a single cluster of businesses, however, we find a significant increase in both Personal and Property crimes following the openings of the adult businesses at 8745 and 8743 Garden Grove Boulevard in March, 1986 and August, 1988.

The *Adult*, located at 8502 Garden Grove Boulevard, and the *A to Z*, located at 8192 Garden Grove Boulevard, are far enough away from the 8700 block to allow for an assessment of individual impact. But since these businesses opened in February and May, 1980, at the very beginning of our crime data, there is no simple causal benchmark for attributing crime around these businesses to their operation. The pattern of crime around these businesses is nevertheless consistent with that hypothesis. At the other end of Garden Grove Boulevard, the *Hip Pocket* (12686) and the *Garden of Eden* (12061-5), which opened in 1971

and 1977 respectively, pose the same problem. In March, 1983, however, the *Garden of Eden* expanded its operation from one suite to three. As in the case of the *Party House-Bijou-Video Preview Rental Center* complex on the other end of Garden Grove Boulevard, we find a significant rise in crime coincident with this expansion. The analyses supporting these findings will be presented shortly.

In our opinion, these seven adult businesses constitute a serious and significant public safety hazard. One aspect of this hazard is apparent in Table 2. During the 1981-90 decade, 610 Garden Grove Boulevard addresses had one or more crimes.³¹ The seven adult business addresses accounted for 239 Personal, 694 Property, and 538 Part II crimes, however, so *these seven addresses accounted for 10.5 percent of the Part I and 25.5 percent of the Part II crime on Garden Grove Boulevard during the last decade.* Since this disparity could occur by chance alone less than one time in one hundred, the implied difference between these seven addresses and the 603 other Garden Grove Boulevard addresses with one or more crimes is statistically significant. The second column of numbers in Table 2 are *ranks.* These numbers tell the same story but from a different perspective. As shown, three of the top ten Part I crime "hot spots" are found at the adult business addresses. Five of the top ten Part II crime "hot spots" are found at the adult

³¹ Of course, *most* Garden Grove Boulevard addresses had no crimes during 1981-90. Of these addresses with at least one crime, more than 55 percent had only *one* crime.

**Table 2 - Reported Crimes for Adult Businesses
Garden Grove Boulevard Only, 1981-1990**

Bookstores/Peepshows

<i>Address</i>	<i>Personal</i>		<i>Property</i>		<i>Part I</i>		<i>Part II</i>	
	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>
8192 Garden Grove	16	19	190	5	206	5	160	1
8502 Garden Grove	25	9	93	13	118	11	52	7
8743 Garden Grove	0		7	192	7	217	4	71
8745 Garden Grove	3	91	17	98	20	112	10	70
8751 Garden Grove	12	29	116	7	128	9	94	5
12061 Garden Grove	11	34	98	10	109	15	68	6
12686 Garden Grove	6	57	173	6	179	6	150	2

Bars/Taverns

<i>Address</i>	<i>Personal</i>		<i>Property</i>		<i>Part I</i>		<i>Part II</i>	
	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>	<i>N</i>	<i>Rank</i>
8112 Garden Grove	41	1	94	12	135	8	22	17
8284 Garden Grove	15	23	35	50	50	40	4	69
8575 Garden Grove	28	7	84	16	112	13	35	11
8801 Garden Grove	10	46	38	47	48	41	14	31
8803 Garden Grove	21	13	56	28	77	23	20	20
12045 Garden Grove	26	8	59	25	85	20	19	23
12082 Garden Grove	33	4	87	15	120	9	43	9
12761 Garden Grove	11	40	24	78	35	61	4	81
12889 Garden Grove	34	3	78	18	112	13	19	23

business addresses, but this may be expected.

Of course, one can argue that the relationship is noncausal or spurious; that these businesses simply moved into a neighborhood that happened to already have a high crime rate. We test and reject this hypothesis in the next section. For now, we draw attention to the Bar/Tavern addresses in Table 2. If the alternative hypothesis is that the Garden Grove Boulevard neighborhoods had high crime rates before the seven adult businesses moved in, we would expect to these addresses to have high crime rates as well (more so given that alcohol is served at these addresses). On the contrary, however, we find that these addresses have generally lower crime rates than the adult business addresses. Whereas three of seven adult business addresses are in the top ten Part I crime "hot spots," only two of nine bar/tavern addresses make the top-ten list. In this sense, the seven adult business addresses on Garden Grove Boulevard constitute serious, significant public safety hazards.

V. Quasi-Experimental Contrasts

The address-specific crime counts in Table 2 are compelling evidence of the public safety hazard posed by the adult businesses on Garden Grove Boulevard. Simple counts do not satisfy the criterion of scientific validity, however, for there are many *noncausal* explanations for any set of numbers. Validity requires that a *change* in the operation of an adult business be followed by a *change* in the crime rate near the business. If the before-after change proves statistically significant, validity requires further that the same before-after change *not* be found in a suitable "control" area. Only after both criteria are satisfied can we state in scientifically valid terms that an adult business poses a public safety hazard.

The fact that the adult businesses on Garden Grove Boulevard have operated continually for the past decade has had an impact on our ability to conduct proper before/after analyses. Ideally, crime should be contrasted in a location before and after an adult business opens. Although this is not literally possible, given the constraints of time and data, there were three major expansions of adult businesses at two existing locations and analyses of these changes confirm the picture of these businesses painted by Table 2. The quasi-experimental contrasts derived from these analyses are outlined in greater detail here.

1) In March, 1982, the *Garden of Eden* expanded from a single suite at 12061 Garden Grove Boulevard into the adjoining suites at 12063 and 12065

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Garden Grove Boulevard. The before/after and test/control contrasts for this change are:

Test Site	One Year Before				One Year After			
	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	1	14	28	43	15	16	28	59
<i>Property Crimes</i>	10	46	84	140	17	58	167	242
<i>Part II Crimes</i>	21	11	16	48	16	12	17	45
 Control Site	 200'	 500'	 1000'		 200'	 500'	 1000'	
<i>Personal Crimes</i>	0	11	22	33	1	9	28	39
<i>Property Crimes</i>	13	52	76	141	12	56	87	155
<i>Part II Crimes</i>	15	23	27	65	11	22	29	62

Over the next year, Personal crimes within a 200-foot radius rose significantly compared to the preceding year.³² Also compared to the preceding year, Property crimes within a 1000 foot radius rose significantly. The effect of the expansion on Part II crimes was mixed and largely insignificant. To control for the possibility that these effects were due to unrelated extraneous variables, a "control" site was developed from the mean crime counts of the other six adult businesses. While crime rose in the vicinity of the *Garden of Eden*, however, crime remained static at the "control" site. Accordingly, we attribute the increases in Personal and Property crimes to the expansion of the adult business.

³² Hereafter, unless stated otherwise, a significant effect will imply a probability of .01 or less.

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2) In March, 1986, the *Bijou* opened at its present location, 8745 Garden Grove Boulevard. Since the *Party House* had been operating at 8751 Garden Grove Boulevard prior to this time, the opening of *Bijou* was in effect an expansion. The before/after and test/control contrasts for this change are:

	One Year Before				One Year After			
Test Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	2	7	21	30	6	11	30	47
<i>Property Crimes</i>	3	19	94	116	11	40	113	164
<i>Part II Crimes</i>	13	14	43	70	8	13	42	63
Control Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	2	10	30	42	1	11	31	43
<i>Property Crimes</i>	19	49	76	144	20	60	67	147
<i>Part II Crimes</i>	24	13	25	62	19	16	34	69

Over the next year, both Personal and Property crimes rose significantly within a 500-foot radius. The effect on Part II crimes was mixed and largely insignificant. Since no similar effect was observed at a "control" site developed from the mean crime counts of four other adult businesses, the increases are attributed to the opening of the *Bijou*.

3) In August, 1988, the *Video Preview Rental Center* opened at 8743 Garden Grove Boulevard. Since the *Party House* and *Bijou* were already in operation, this opening too is treated as an expansion. The before/after and test/control contrasts

for this change are:

Test Site	One Year Before				One Year After			
	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	0	10	51	61	4	15	46	65
<i>Property Crimes</i>	3	19	67	89	6	25	60	91
<i>Part II Crimes</i>	11	13	16	40	34	11	25	70
Control Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	1	13	49	63	1	11	54	66
<i>Property Crimes</i>	5	22	74	101	4	24	68	96
<i>Part II Crimes</i>	9	17	22	48	28	13	20	61

In the following year, Personal crime rose significantly within a 500-foot radius, Property crime rose significantly within a 200-foot radius, and Part II crimes rose significantly within a 200-foot radius (which is to say, at the *Party House-Bijou-Video Preview Rental Center* complex. No increases were observed at a "control" site developed from the mean crime counts of four other adult businesses.

The consistent pattern of effects in these three cases demonstrates that the adult businesses are indeed a public safety hazard as the data presented in the preceding section suggest. Given the nature of the operational changes in these three cases, furthermore, it appears that any expansion of an adult business will have the same effect. In light of the potentially large area of the hazard and the predatory nature of the crimes associated with the hazard, we recommend that no new adult businesses be allowed to operate within 1000 feet of a residential area.

Of course, virtually any increase in economic or social activity might be

expected to produce some increase in crime (though perhaps not so large an increase as was observed in these three cases). When an increase in crime can be attributed to a specific economic or social activity, it is reasonable to expect the responsible parties to take steps designed to ameliorate the problem. In one instance where an adult business acted to ameliorate a nuisance, however, the act had no impact on crime.

4) In September, 1988, the City installed a blockade in the alley immediately to the west of the *Adult* (8502 Garden Grove Boulevard) to prevent "cruising." While the blockade undoubtedly accomplished this intended purpose, there was no significant effect on Personal, Property, or Part II crimes in the vicinity of the *Adult*. The before/after contrasts for this change are:

Test Site	One Year Before				One Year After			
	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	2	13	26	41	2	11	21	34
<i>Property Crimes</i>	3	19	67	89	6	25	60	91
<i>Part II Crimes</i>	11	13	16	40	34	11	25	70

Although this simple architectural device had no significant impact on crime, there are undoubtedly many positive steps that an adult business can take to reduce crime in its vicinity. Since to our knowledge, no such steps were taken during 1981-1990, we cannot speak with authority on the likely effectiveness of the various

amelioration strategies.³³ Nevertheless, we recommend that the City use its legitimate zoning authority to ensure that any new adult business will have a minimum impact on crime in its vicinity. Beyond this recommendation, we find strong evidence to suggest that the public safety hazard posed by adult businesses on Garden Grove Boulevard is exacerbated by proximity to a bar or tavern. This is based on two contrasts.

5) In April, 1985, a bar opened at 8112 Garden Grove Boulevard, approximately 425 feet from the *A to Z*. The before/after and test/control contrasts for this change are:

Test Site	One Year Before				One Year After			
	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	0	1	12	13	2	8	35	45
<i>Property Crimes</i>	9	29	56	94	7	41	62	110
<i>Part II Crimes</i>	4	2	7	13	2	9	11	22
Control Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	0	1	14	15	0	2	14	16
<i>Property Crimes</i>	4	12	45	61	2	19	51	72
<i>Part II Crimes</i>	4	8	7	19	5	9	12	26

In the subsequent year, Personal crime within 1000 feet rose significantly.

³³ A similar architectural device was installed at the *A to Z* (8192 Garden Grove Boulevard) in May, 1990. We have insufficient data to measure the effect of this intervention, however.

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Although Property crime also rose, the increase was not significant. No significant change was observed at a "control" site, so the increase in Personal crime was attributed to proximity to the bar. Since analyses of crime 200, 500, and 1000 feet from 8112 Garden Grove Boulevard (the bar) show no comparable effect, the rise in Personal crime cannot be attributed to the bar alone. Rather, it must be due to an interaction between the bar and the adult business.

6) In May, 1989, a bar closed at 12889 Garden Grove Boulevard, approximately 1075 feet from the *Hip Pocket*. The before/after and test/control contrasts for this change are:

	One Year Before				One Year After			
Test Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	2	9	13	24	2	13	9	26
<i>Property Crimes</i>	4	15	29	48	5	19	39	63
<i>Part II Crimes</i>	13	22	8	43	80	26	5	111
Control Site	200'	500'	1000'		200'	500'	1000'	
<i>Personal Crimes</i>	0	2	12	14	1	1	14	16
<i>Property Crimes</i>	5	11	39	55	3	13	44	60
<i>Part II Crimes</i>	7	8	7	22	7	8	13	28

In the subsequent year, no significant change was observed either in Personal or Property crime; significance notwithstanding the change was in the opposite direction of what was expected. Part II crimes within 200 feet of the *Hip Pocket* rose precipitously and significantly. No change was observed at a "control" site.

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Information from the Police Department suggests, however, that the increase in Part II crimes was the result of an unrelated enforcement campaign.

Failure to find any significant effect in this case suggests that the interaction effect observed in the preceding case is limited to 1000 feet. While we strongly recommend that no new adult business be located within 1000 feet of a bar (and *vice versa*), there is no evidence of interaction at distances exceeding 1000 feet.

VI. Survey of Real Estate Professionals

Following the research model of the *LA Study*, an analysis of real estate professionals was conducted to determine the prevailing professional opinion of the secondary effects produced by presence of adult businesses.³⁴ The questionnaire instrument developed for this task distinguished between the effects on single-family residential property, multiple-family residential property and commercial property values. In addition, it asked for information on the effects of adult businesses within 200 feet, within 200-500 feet and the effects of two or more adult businesses within these distances. Not only were the effects on property values determined but also, effects on other issues that litigation in this area has found important such as crime, traffic, noise, safety of women and children, quality of life, rents, loitering, and the ability to attract other businesses and customers were identified.

In January and February, 1991, copies of the instrument were sent to the membership list of the West Orange County Association of Realtors. Of the total 954 surveys sent out, 30 were returned with incorrect addresses. The remaining sample of 924 resulted in a return of 141 completed questionnaires. Of these 141,

³⁴ See the Appendix for a copy of the questionnaire instrument and a complete tabulation of responses.

19 were eliminated because of response bias.³⁵ The final analysis is based on 122 valid responses.³⁶

The overall sample was very experienced in real estate, with 12.6 of years experience on average. This group of real estate professionals was very knowledgeable about Garden Grove real estate, with a mean experience in Garden Grove real estate of 10.1 years. The overwhelming majority of respondents (94.3%) also said that they had an opinion on the impact of adult businesses on the community.

The first set of items in our survey elicited opinions pertaining to the impact on property values by adult businesses. When adult businesses are located within 200 feet of a residential or commercial property the overwhelming opinion is that property values will be substantially decreased:

³⁵ Throughout the questionnaire, various questions were worded in either a negative or positive fashion. This is done to eliminate respondents that merely circle one response, such as strongly agree, to all questions. The assumption is that a respondent who is answering the questionnaire in a responsible fashion would not strongly agree with both a negative assessment of adult businesses and a positive assessment of adult businesses.

³⁶ This gives a response rate of 122/924 or 13.2%. This is somewhat lower than the response rate for the *LA Study* of 81/400 or 20% (p. 38). However, that report makes no mention of correction for response bias. If the 19 returned questionnaires that were eliminated for response bias had been included in the analysis, the response rate would have been 141/924 or 15.3%.

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	<i>Decrease</i>	<i>No Effect</i>	<i>Increase</i>
Single-family	97.5%	2.5%	0.0%
Multiple-family	95.0%	5.0%	0.0%
Commercial	81.5%	15.1%	3.3%

When adult businesses are located more than 200 feet but less than 500 feet of a residential or commercial property, the effect diminishes only slightly:

	<i>Decrease</i>	<i>No Effect</i>	<i>Increase</i>
Single-family	95.1%	4.9%	0.0%
Multiple-family	92.5%	6.7%	0.8%
Commercial	77.5%	20.0%	2.5%

The difference between 200 and 500 feet is insignificant. Otherwise, the strongest impact occurs for single-family residences with a smaller (though still extremely large and significant) impact on commercial property.

The density of adult businesses is also considered to have a negative impact on property values. When two adult businesses are located within 1000 feet of each other and within 200 to 500 feet of a property, values are expected to diminish significantly:

	<i>Decrease</i>	<i>No Effect</i>	<i>Increase</i>
Single-family	89.3%	9.8%	0.8%
Multiple-family	86.8%	12.3%	0.8%
Commercial	71.9%	27.3%	0.8%

Density impacts are judged to be slightly smaller than the impacts of location *per*

se. The density impacts on property value are large and significant nevertheless and support a density regulation.

For location and density alike, the overall pattern is clear. The vast majority of real estate professionals associate location of an adult business with decreased property values for single-family residential, multiple-family residential and commercial property. Clearly, these data indicate the presence of an adult business creates the secondary effect of decreased property values.

A second set of items elicited opinions on the impact of adult businesses on residential neighborhood qualities. A majority of respondents felt that locating an adult business within 200 feet of a residential area would result in increased crime, traffic, litter, loitering and noise; and decreased safety for women and children, quality of life, and rents. Specific responses were:

	<i>Increase</i>	<i>No Effect</i>	<i>Decrease</i>
Crime	93.1%	6.0%	0.9%
Traffic	97.4%	1.7%	0.9%
Litter	86.2%	12.1%	1.8%
Noise	72.4%	24.1%	3.6%
Safety	27.4%	10.6%	61.9%
Quality of Life	18.4%	6.1%	75.4%
Rents	8.0%	10.6%	81.4%
Loitering	85.5%	5.1%	9.4%

When asked about problems in relation to commercial properties, the vast majority of respondents blamed adult businesses for the same problems cited for residential

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properties and, also, for decreases in quality of business environment, commercial rents, ability to attract new businesses, and ability of non-adult businesses to attract customers. Specifically:

	<i>Increase</i>	<i>No Effect</i>	<i>Decrease</i>
Crime	88.7%	9.6%	1.7%
Traffic	76.7%	20.7%	2.6%
Litter	83.5%	15.7%	0.9%
Noise	67.0%	29.5%	3.6%
Safety	23.2%	12.5%	64.2%
Business Environment	11.5%	6.3%	81.2%
Commercial Rents	8.4%	15.9%	75.7%
Loitering	77.0%	8.0%	15.0%
Attract Businesses	7.9%	3.5%	88.5%
Attract Customers	8.8%	7.0%	84.3%

This general response pattern is essentially duplicated when respondents are asked about the impact of locating two or more adult businesses within 1000 feet of each other and within 200 feet of a residential or commercial area.

These findings are consistent with other studies addressing the negative impact associated with the location of adult businesses.³⁷ Closer analysis of response patterns reveals that respondents who felt adult businesses produce a decrease in property values also are likely to respond that these businesses have a negative effect on a neighborhood. One of the strongest associations was between decreased property values and increased crime. This is consistent with our analysis

³⁷ See for example the *LA Report*.

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of the crime data. The data from this survey clearly indicates that real estate professionals feel that adult businesses are associated with decreased property values and decreased quality of neighborhood for both residential and commercial areas.

VII. Household Survey Results

The final component of this research project was a survey of Garden Grove households to assess citizen perceptions of the issues. Toward this end, we first developed a questionnaire instrument based on instruments used in prior research but modified to reflect the particular circumstances of Garden Grove. After field-testing an early version of the instrument on a random sample of Santa Ana telephone households in March and April, 1991, a refined final version of the instrument was then administered to a stratified "random" sample of Garden Grove telephone households in the summer of 1991.³⁸ To ensure that the sample included households in the proximity of problem areas, the total sample of N=250 included 200 addresses located within 1500 feet of an adult business. We cannot therefore generalize our results to the larger population without applying a set of sample weights. As it turns out, however, the survey results are so nearly unanimous that there is no need for complicated statistics.

Interviews were conducted by Garden Grove Police Department cadets, the Consultants, and their research assistants. Standard survey research conventions were observed and independent audits were used to maintain the reliability and validity of responses. By Labor Day, 1991, each of the 250 households in the

³⁸ A copy of the final version of this instrument and tabulated response frequencies are found in the Appendix.

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sample had either been contacted (with a completed interview or a refusal) or ruled out of the sample.³⁹ The final breakdown of the sample by interview status is:

Completed	118	47.2%	80.3%
Refused	29	11.6%	19.7%
Language	20	8.0%	
No Answer	42	16.8%	
Invalid	41	16.4%	
Total	250	100.0%	100.0%

Non-English speaking households could not be interviewed and this is unfortunate. Nevertheless, the number of completed interviews (118) and the completion rate (80.3%) of this survey (80.3%) exceed the numbers realized in household surveys conducted in other cities. Accordingly, we believe that our results present the most accurate available picture of attitudes toward adult businesses.

General Perceptions of the Problem. The general public perceives the adult businesses on Garden Grove Boulevard as a serious problem that has a real impact on daily life. While perceptions of the nature of this problem vary somewhat, virtually everyone polled associates these businesses with one or more negative

³⁹Phone number were ruled out for any of three reasons: (1) the number was not located in Garden Grove; (2) the number was a business; or (3) no one at the number spoke English.

aspects of urban life. Exceptions to this rule are rare and the intensity of the feeling is greatest in neighborhood nearer Garden Grove Boulevard.

Each interview began by asking the respondent to estimate the distance from his or her house to the nearest adult business. The breakdown of responses in the sample of completed interviews was:

200 Feet/1 Block	12	9.8%	6.9%
500 Feet/2 Blocks	17	14.4%	4.9%
1000 Feet/3+ Blocks	54	45.8%	65.1%
Don't Know	35	29.7%	

The accuracy of these subjective estimates was checked by asking the respondent to name (or at least, to describe) the adult business nearest their home. In a subset of cases, we were also able to measure the distance objectively. From these data, it is clear that people are quite aware of how near or far away they live from these businesses.

We next asked respondents to assess the impact that an adult entertainment business located in their neighborhood would have on series of "social problems."

Specifically:

I am going to ask a series of questions concerning what the impact of an adult entertainment business has, or would have, if it were located within 500 feet of your neighborhood. Please tell me if the impact would be a substantial increase, some increase, no effect, some decrease or a substantial decrease.

Responses to this series of questions reveal a consistent perception of the impact of adult businesses on the part of citizens. Broken down into three categories:

	<i>Increase</i>	<i>No Effect</i>	<i>Decrease</i>
Crime	72.9%	27.1%	0.0%
Traffic	60.7%	38.5%	0.9%
Litter	66.7%	32.5%	0.9%
Noise	62.1%	36.2%	1.8%
Safety	31.9%	20.7%	47.5%
Quality of Life	16.3%	23.9%	59.8%
Property Values	14.5%	15.4%	70.1%
Rents	15.7%	38.9%	45.3%
Loitering	74.3%	22.2%	3.5%
Graffiti	56.6%	41.7%	1.7%
Vandalism	65.5%	32.8%	1.7%

Respondents were asked if they knew of any *specific* incidents related to adult entertainment businesses in their neighborhoods. Twenty-five respondents (21.4%) answered affirmatively, citing specific examples of the 11 general problem areas covered in the survey instrument. Not surprisingly, most of these respondents lived relatively near an adult business.

Finally, to measure the depth of public sentiment, respondents were asked whether they would move if an adult entertainment business were to move into their neighborhood. Seventy-one respondents (61.2%) indicated that they would ("definitely" or "probably") move. Of the minority (38.8%) who indicated that they would ("definitely" or "probably") *not* move, nearly half qualified their answers by

explaining that financial considerations precluded a move for any reason.

Attitudes on Regulation. With an exception to be noted, the public believes that the City should regulate adult businesses. One hundred respondents (85.5%) believe that the City should regulate the location of adult businesses. Despite the apparent *laissez faire* implications of the minority opinion, however, only one respondent (0.9%) believed that adult businesses should be allowed to operate in residential neighborhoods. Though perhaps disagreeing on the nature and extent of regulation then, even the most ardent opponents of regulation seem to support some type of regulation.

A series of questions designed to measure support for and/or opposition to various approaches to regulation reveal a remarkable depth of support for all types of regulation. Regulatory initiatives designed to protect the integrity of residential life, for example, garner nearly unanimous support from every element of the community:

Would you support a law that prohibited the establishment of an adult entertainment business within 500 feet of a residential area, school or church?.

Strongly Support	92	78.0%	78.0%
Support	13	11.0%	11.0%
Neutral	4	3.4%	3.4%
Oppose	6	5.1%	5.1%
Strongly Oppose	3	2.5%	2.5%

Regulatory initiatives designed to reduce the density of adult businesses, on the

Regulatory initiatives designed to reduce the density of adult businesses, on the other hand, while not nearly so popular, are supported by a significant majority of citizens.

Would you support a law that prohibited the concentration of adult entertainment businesses within 1000 feet of each other?

Strongly Support	52	44.1	44.4
Support	21	17.8	17.9
Neutral	16	13.6	13.7
Oppose	22	18.6	18.8
Strongly Oppose	6	5.1	5.1

It should be noted, furthermore, that some of the respondents who oppose density regulations do so because they oppose any initiative short of prohibition.

Group Differences. Due to the overwhelming degree of support for almost any regulatory initiative and, also, due to the relatively small sample size, few group differences are statistically significant. Home ownership and gender are exceptions. In general, home owners are more likely than renters and women are more likely than men to endorse any regulatory initiative. These differences are expected, of course, but a careful examination of response patterns reveals a curious difference. When asked whether the City should regulate the locations of adult businesses, for example, home owners and women alike express stronger support for regulation than their complementary groups. Specifically,

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	<i>Own</i>	<i>Rent</i>		<i>Women</i>	<i>Men</i>	
<i>Regulate Yes</i>	74	24	98	57	42	99
<i>Regulate No</i>	7	10	17	6	11	17
	81	34	115	63	53	116

Both differences (owners vs. renters and women vs. men) are statistically significant. This common factor helps define the small minority (14.5%) of respondents who feel that the City should not regulate adult businesses at all.⁴⁰

Asked if they would move if an adult business were to open in their neighborhood, on the other hand, home owners and women diverge slightly:

	<i>Own</i>	<i>Rent</i>		<i>Women</i>	<i>Men</i>	
<i>Move Yes</i>	52	17	69	43	27	70
<i>Move No</i>	28	17	45	20	25	45
	80	34	114	63	52	115

While home owners are more likely (vs. renters) to say that they would move out of their neighborhoods to avoid an adult business, the difference is not statistically significant. In contrast, the difference for women (vs. men) is quite significant.

⁴⁰ Respondents who expressed the opinion that the City should not regulate adult businesses tend to be younger (76.5% under 45) men (64.7%) who rent (58.8%). More important, perhaps, these respondents tend to live relatively far away from adult businesses (76.5% at least three blocks away) and to live in households with no children (70.6%). Several of these respondents volunteered that they were "libertarians." Of course, many of the respondents who initially told us that they opposed any regulation later expressed the opinion that adult businesses should not be allowed to locate near residential neighborhoods.

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This divergence reflects a salient difference in the way home owners and women calculate costs and benefits. In the unstructured portions of the interviews, many home owners expressed feelings of resignation. One respondent who had lived in the vicinity of an adult business for more than thirty years, for example, told us that the social and economic costs of moving to another neighborhood precluded this option; and in any event, there would no guarantee that adult businesses would not eventually move into the new neighborhood. On the other hand, many women respondents expressed overwhelming fear for their safety and the safety of their children. One woman respondent with three young children told us that she had already moved because one of her children had been harassed by a man who she believed was a customer of an adult business. Although her new apartment was smaller and more expensive, she believed that the move was absolutely necessary for the safety of her children. Anecdotal data of this sort are not amenable to statistical analysis. Nevertheless, these data provide a context for interpreting the objective item responses of our survey.

VIII. Conclusions

The data and analyses reported in this document make a clear, compelling statement about the secondary consequences of the adult entertainment businesses along Garden Grove Boulevard. In terms of property values alone, the survey of real estate professionals leads to the unambiguous conclusion that the mere presence of these businesses depresses residential and commercial property values. While the effect on commercial property values is problematic, the effect on residential property values argues for strict regulations governing the distance of adult businesses from residential neighborhoods. In commercial zones, moreover, the consistent opinions of real estate professionals suggest that high density also depresses commercial property values. This argues for strict regulations governing the distances between adult businesses.

A separate survey of Garden Grove households is fully consistent with the responses of real estate professionals. Put simply, these businesses have a real impact on the daily lives of their neighbors. By all measures, respondents living near one of these businesses are aware of the presence of the businesses and have a pessimistic (but apparently realistic) view of their impact on the neighborhood. Whereas public hearings might lead one to conclude that actual incidents involving these businesses are rare, our survey results show the opposite; *more than one in five respondents reported a specific incident related to the operation of adult*

businesses. This experience leads to strong public support for regulation. Nine of ten respondents endorse regulations that prohibit adult businesses from operating near residential neighborhoods; nearly two-thirds endorse regulations that prohibit the geographical concentration of adult businesses.

Although these two surveys may represent subjective opinion, their results are consistent with objective analyses of crime data. Comparing temporal crime rates before and after changes in the operation of adult businesses, we find strong evidence of a public safety hazard. The subjective impressions of Garden Grove residents and real estate professionals have an empirical basis, in other word. Given the seriousness nature of this public safety hazard, we recommend that

- *No new adult businesses should be allowed to operate within 1000 feet of a residence.*

We find a significant interaction effect between the adult businesses and taverns or bars. When an adult business opens within 1000 feet of a tavern or bar, crime rates rise by a factor that cannot be attributed to either business alone.

Accordingly, we recommend that

- *No new tavern or bar should be allowed to operate within 1000 feet of an adult business and vice versa.*

Since the adult businesses on Garden Grove Boulevard (or more precisely, their *locations*) were in operation prior to the advent of our data, we find no optimum

or ideal distance between locations that would ameliorate the public safety hazard.

Accordingly, we recommend that

- *The present spacing code between adult businesses should be maintained.*

Recognizing the legal and practical difficulties of changing the existing operations, furthermore, we have no recommendations for the existing operations. Although we find no evidence that the public safety hazard can be ameliorated by simple architectural barriers (walls, e.g.), the hazard could conceivably be minimized by regulations such as limiting the hours of operation, special lighting, and so forth.

Toward this end, we recommend that

- *Where feasible, the Conditional Use Permit process should be used to ameliorate the public safety hazard. For optimal effectiveness, the Police Department must be fully involved in every aspect of this process.*

There is a tendency to view adult entertainment businesses as "moral nuisances" when, in fact, the data show that they are public safety "hot spots." Adopting this view, it may be useful to enact policies designed to ensure the safety of customers and neighbors. The Garden Grove Police Department is ideally suited to advise on the range of policy options that might be implemented.

A final recommendation pertains to public involvement in the process. The results of our household survey reveal strong sentiments favoring any attempt to ameliorate the secondary consequences of this problem. Nevertheless, we detect a

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spirit of cynicism in the responses of citizens who live in the midst of the problem. For example, the weaker public support for density regulation (vs. regulating the distance from a residential neighborhood) reflects in part a draconian view of the problem; more than a few of the respondents who expressed little or no support for this regulation did so on the grounds that the businesses should not be allowed to operate *anywhere* in the City. It would not be entirely correct to attribute this view to moral or moralistic attitudes. In many cases, respondents related personal experiences and fears that make these views understandable. Public support for any practical regulation may require a process that addresses the experiences and fears of these citizens. Unfortunately, we have no expertise (or even specific insights) to suggest how this might be accomplished.

A P P E N D I X

Real Estate Survey Frequencies

Household Survey Frequencies

Real Estate Instrument

Household Instrument

Proposed Statute

Consultants' Final Report - A1

Real Estate Professionals Survey Response Tabulations

Based on your personal observations as a real estate professional, or on information received through the practice of your profession, do you have an opinion as to whether the presence of an adult bookstore affects the resale or rental values of nearby properties?

Yes	115	94.3	94.3
No	6	4.9	4.9
Missing	1	.8	.8

How many years have you practiced in the real estate profession?

5 Years or Less	36	29.5	29.5
6-10 Years	16	13.1	13.1
11-25 Years	60	49.2	49.2
25 Years or More	10	8.2	8.2

How many years have you practiced real estate in the Garden Grove area?

5 Years or Less	47	38.5	38.5
6-10 Years	19	15.6	15.6
11-25 Years	51	41.8	41.8
25 Years or More	3	2.4	4.1
Missing	2	1.6	

Based on your professional experience, how would you expect average values of the following types of property to be effected if they are less than 200 feet away from the new adult bookstore?

...Single-family residential

20% Decrease	76	62.3	62.8
10-20% Decrease	28	23.0	23.1
0-10% Decrease	14	11.5	11.6
No Effect	3	2.5	2.5
Missing	1	.8	

Consultants' Final Report - A2

...Multiple-family residential

20% Decrease	46	37.7	38.3
10-20% Decrease	42	34.4	35.0
0-10% Decrease	26	21.3	21.7
No Effect	6	4.9	5.0
Missing	2	1.6	

...Commercial

20% Decrease	24	19.7	20.2
10-20% Decrease	40	32.8	33.6
0-10% Decrease	33	27.0	27.7
No Effect	18	14.8	15.1
0-10% Increase	3	2.5	2.5
20% Increase	1	.8	.8
Missing	3	2.5	

How would you expect the average value to be affected if the properties are within 200 to 500 feet of the new adult bookstore?

...Single-family residential

20% Decrease	67	54.9	55.4
10-20% Decrease	29	23.8	24.0
0-10% Decrease	19	15.6	15.7
No Effect	6	4.9	5.0
Missing	1	.8	

...Multiple-family residential

20% Decrease	41	33.6	34.2
10-20% Decrease	36	29.5	30.0
0-10% Decrease	34	27.9	28.3
No Effect	8	6.6	6.7
10-20% Increase	1	.8	.8
Missing	2	1.6	

Consultants' Final Report - A3

...Commercial

20% Decrease	20	16.4	16.7
10-20% Decrease	37	30.3	30.8
0-10% Decrease	36	29.5	30.0
No Effect	24	19.7	20.0
0-10% Increase	2	1.6	1.7
10-20% Increase	1	.8	.8
Missing	2	1.6	

Assume that a new adult bookstore will be located within 1000 feet of an existing adult bookstore or other adult entertainment use. Based upon your professional experience, how would you expect the average values of the following types of properties to be affected if they are less than 200 feet away from the new bookstore?

...Single-family residential

20% Decrease	51	41.8	41.8
10-20% Decrease	38	31.1	31.1
0-10% Decrease	20	16.4	16.4
No Effect	12	9.8	9.8
0-10% Increase	1	.8	.8

...Multiple-family residential

20% Decrease	41	33.6	33.6
10-20% Decrease	32	26.2	26.2
0-10% Decrease	33	27.0	27.0
No Effect	15	12.3	12.3
0-10% Increase	1	.8	.8

...Commercial

20% Decrease	27	22.1	22.3
10-20% Decrease	27	22.1	22.3
0-10% Decrease	33	27.0	27.3
No Effect	33	27.0	27.3
10-20% Increase	1	.8	.8
Missing	1	.8	

Consultants' Final Report - A4

How would you expect the average values to be affected if the properties are within 200 to 500 feet of the adult bookstore?

...Single-family residential

20% Decrease	65	53.3	55.1
10-20% Decrease	29	23.8	24.6
0-10% Decrease	15	12.3	12.7
No Effect	8	6.6	6.8
0-10% Increase	1	.8	.8
Missing	4	3.3	

...Multiple-family residential

20% Decrease	42	34.4	35.3
10-20% Decrease	41	33.6	34.5
0-10% Decrease	25	20.5	21.0
No Effect	10	8.2	8.4
0-10% Increase	1	.8	.8
Missing	3	2.5	

...Commercial

20% Decrease	25	20.5	21.4
10-20% Decrease	40	32.8	34.2
0-10% Decrease	25	20.5	21.4
No Effect	23	18.9	19.7
0-10% Increase	4	3.3	3.4
Missing	5	4.1	

Based upon your professional experience, how would you evaluate the impact of locating an adult bookstore within 200 feet of an area on the following problems, if the area is residential?

...Crime

Substantial Increase	59	48.4	50.9
Some Increase	49	40.2	42.2
No Effect	7	5.7	6.0
Some Decrease	1	.8	.9
Missing	6	4.9	

Consultants' Final Report - A5

...Traffic

Substantial Increase	28	23.0	23.9
Some Increase	60	49.2	51.3
No Effect	26	21.3	22.2
Some Decrease	2	1.6	1.7
Substantial Decrease	1	.8	.9
Missing	5	4.1	

...Litter

Substantial Increase	52	42.6	44.8
Some Increase	48	39.3	41.4
No Effect	14	11.5	12.1
Some Decrease	1	.8	.9
Substantial Decrease	1	.8	.9
Missing	6	4.9	

...Noise

Substantial Increase	35	28.7	31.3
Some Increase	46	37.7	41.1
No Effect	27	22.1	24.1
Some Decrease	3	2.5	2.7
Substantial Decrease	1	.8	.9
Missing	10	8.2	

...Safety

Substantial Increase	24	19.7	21.2
Some Increase	7	5.7	6.2
No Effect	12	9.8	10.6
Some Decrease	24	19.7	21.2
Substantial Decrease	46	37.7	40.7
Missing	9	7.4	

Consultants' Final Report - A6

...Quality of life

Substantial Increase	14	11.5	12.3
Some Increase	7	5.7	6.1
No Effect	7	5.7	6.1
Some Decrease	39	32.0	34.2
Substantial Decrease	47	38.5	41.2
Missing	8	6.6	

...Rents

Substantial Increase	3	2.5	2.7
Some Increase	6	4.9	5.3
No Effect	12	9.8	10.6
Some Decrease	51	41.8	45.1
Substantial Decrease	41	33.6	36.3
Missing	9	7.4	

...Loitering

Substantial Increase	60	49.2	51.3
Some Increase	40	32.8	34.2
No Effect	6	4.9	5.1
Some Decrease	3	2.5	2.6
Substantial Decrease	8	6.6	6.8
Missing	5	4.1	

Based upon your professional experience, how would you evaluate the impact of locating an adult bookstore within 200 feet of an area on the following problems, if the area is commercial?

...Crime

Substantial Increase	45	36.9	39.1
Some Increase	57	46.7	49.6
No Effect	11	9.0	9.6
Substantial Decrease	2	1.6	1.7
Missing	7	5.7	

Consultants' Final Report - A7

...Traffic

Substantial Increase	24	19.7	20.7
Some Increase	65	53.3	56.0
No Effect	24	19.7	20.7
Some Decrease	1	.8	.9
Substantial Decrease	2	1.6	1.7
Missing	6	4.9	

...Litter

Substantial Increase	36	29.5	31.3
Some Increase	60	49.2	52.2
No Effect	18	14.8	15.7
Substantial Decrease	1	.8	.9
Missing	7	5.7	

...Noise

Substantial Increase	27	22.1	24.1
Some Increase	48	39.3	42.9
No Effect	33	27.0	29.5
Some Decrease	3	2.5	2.7
Substantial Decrease	1	.8	.9
Missing	10	8.2	

...Safety

Substantial Increase	16	13.1	14.3
Some Increase	10	8.2	8.9
No Effect	14	11.5	12.5
Some Decrease	36	29.5	32.1
Substantial Decrease	36	29.5	32.1
Missing	10	8.2	

...Quality of business environment

Substantial Increase	6	4.9	5.4
Some Increase	8	6.6	7.1
No Effect	7	5.7	6.3
Some Decrease	53	43.4	47.3
Substantial Decrease	38	31.1	33.9
Missing	10	8.2	

Consultants' Final Report - A8

...Commercial rents

Substantial Increase	3	2.5	2.8
Some Increase	6	4.9	5.6
No Effect	17	13.9	15.9
Some Decrease	58	47.5	54.2
Substantial Decrease	23	18.9	21.5
Missing	15	12.3	

...Loitering

Substantial Increase	41	33.6	36.3
Some Increase	46	37.7	40.7
No Effect	9	7.4	8.0
Some Decrease	11	9.0	9.7
Substantial Decrease	6	4.9	5.3
Missing	9	7.4	

...Ability to attract new businesses

Substantial Increase	4	3.3	3.5
Some Increase	5	4.1	4.4
No Effect	4	3.3	3.5
Some Decrease	39	32.0	34.5
Substantial Decrease	61	50.0	54.0
Missing	9	7.4	

...Ability to attract customers

Substantial Increase	6	4.9	5.3
Some Increase	4	3.3	3.5
No Effect	8	6.6	7.0
Some Decrease	37	30.3	32.5
Substantial Decrease	59	48.4	51.8
Missing	8	6.6	

Based on your professional experience, how would you evaluate the impact of locating two or more bookstores within 1000 feet of each other and within 200 feet of an area on the following problems if the area is residential?

Consultants' Final Report - A9

...Crime

Substantial Increase	75	61.5	64.1
Some Increase	37	30.3	31.6
No Effect	4	3.3	3.4
Substantial Decrease	1	.8	.9
Missing	5	4.1	

...Traffic

Substantial Increase	43	35.2	36.1
Some Increase	60	49.2	50.4
No Effect	14	11.5	11.8
Substantial Decrease	2	1.6	1.7
Missing	3	2.5	

...Litter

Substantial Increase	63	51.6	52.9
Some Increase	46	37.7	38.7
No Effect	8	6.6	6.7
Substantial Decrease	2	1.6	1.7
Missing	3	2.5	

...Noise

Substantial Increase	48	39.3	41.4
Some Increase	46	37.7	39.7
No Effect	17	13.9	14.7
Some Decrease	2	1.6	1.7
Substantial Decrease	3	2.5	2.6
Missing	6	4.9	

...Safety

Substantial Increase	22	18.0	18.8
Some Increase	10	8.2	8.5
No Effect	7	5.7	6.0
Some Decrease	24	19.7	20.5
Substantial Decrease	54	44.3	46.2
Missing	5	4.1	

Consultants' Final Report - A10

...Quality of life

Substantial Increase	10	8.2	8.5
Some Increase	2	1.6	1.7
No Effect	6	4.9	5.1
Some Decrease	30	24.6	25.6
Substantial Decrease	69	56.6	59.0
Missing	5	4.1	

...Rents

Substantial Increase	5	4.1	4.4
Some Increase	5	4.1	4.4
No Effect	7	5.7	6.1
Some Decrease	45	36.9	39.5
Substantial Decrease	52	42.6	45.6
Missing	8	6.6	

...Loitering

Substantial Increase	62	50.8	53.4
Some Increase	37	30.3	31.9
No Effect	5	4.1	4.3
Some Decrease	6	4.9	5.2
Substantial Decrease	6	4.9	5.2
Missing	6	4.9	

Based on your professional experience, how would you evaluate the impact of locating two or more bookstores within 1000 feet of each other and within 200 feet of an area on the following problems if the area is commercial?

...Crime

Substantial Increase	53	43.4	44.2
Some Increase	59	48.4	49.2
No Effect	6	4.9	5.0
Substantial Decrease	2	1.6	1.7
Missing	2	1.6	

Consultants' Final Report - A11

...Traffic

Substantial Increase	33	27.0	27.5
Some Increase	62	50.8	51.7
No Effect	22	18.0	18.3
Some Decrease	2	1.6	1.7
Substantial Decrease	1	.8	.8
Missing	2	1.6	

...Litter

Substantial Increase	50	41.0	42.7
Some Increase	53	43.4	45.3
No Effect	12	9.8	10.3
Some Decrease	1	.8	.9
Substantial Decrease	1	.8	.9
Missing	5	4.1	

...Noise

Substantial Increase	39	32.0	33.1
Some Increase	48	39.3	40.7
No Effect	29	23.8	24.6
Substantial Decrease	2	1.6	1.7
Missing	4	3.3	

...Safety

Substantial Increase	17	13.9	14.3
Some Increase	8	6.6	6.7
No Effect	12	9.8	10.1
Some Decrease	38	31.1	31.9
Substantial Decrease	44	36.1	37.0
Missing	3	2.5	

...Quality of business environment

Substantial Increase	5	4.1	4.3
Some Increase	3	2.5	2.6
No Effect	8	6.6	6.9
Some Decrease	47	38.5	40.5
Substantial Decrease	53	43.4	45.7
Missing	6	4.9	

Consultants' Final Report - A12

...Commercial rents

Substantial Increase	6	4.9	5.4
Some Increase	9	7.4	8.1
No Effect	13	10.7	11.7
Some Decrease	39	32.0	35.1
Substantial Decrease	44	36.1	39.6
Missing	11	9.0	

...Loitering

Substantial Increase	49	40.2	42.6
Some Increase	45	36.9	39.1
No Effect	5	4.1	4.3
Some Decrease	8	6.6	7.0
Substantial Decrease	8	6.6	7.0
Missing	7	5.7	

...Ability to attract new businesses

Substantial Increase	4	3.3	3.5
Some Increase	4	3.3	3.5
No Effect	7	5.7	6.1
Some Decrease	43	35.2	37.7
Substantial Decrease	56	45.9	49.1
Missing	8	6.6	

...Ability to attract customers

Substantial Increase	7	5.7	5.9
Some Increase	3	2.5	2.5
No Effect	10	8.2	8.5
Some Decrease	38	31.1	32.2
Substantial Decrease	60	49.2	50.8
Missing	4	3.3	

Would you mind if we contacted you in the future regarding your responses to these survey questions?

No	63	51.6	64.3
Yes	26	21.3	26.5
Missing	33	78.1	

Consultants' Final Report - A13

Household Survey Response Tabulations

To the best of your knowledge, how close is the nearest adult bookstore or adult entertainment establishment?

200 Feet	6	5.1	5.1
500 Feet	2	1.7	1.7
1000 Feet	8	6.8	6.8
1 Block	6	5.1	5.1
2 Blocks	15	12.7	12.7
3+ Blocks	46	39.0	39.0
Don't Know	35	29.7	29.7

I am going to ask a series of questions concerning what the impact of an adult entertainment business has or would have if it were located within 500 feet of your neighborhood. Please tell me if the impact would be a substantial increase, some increase, no effect, some decrease, or a substantial decrease.

... Crime

Substantial Increase	55	46.6	46.6
Some Increase	31	26.3	26.3
No Effect	32	27.1	27.1
Some Decrease			
Substantial Decrease			

... Traffic

Substantial Increase	42	35.6	35.9
Some Increase	29	24.6	24.8
No Effect	45	38.1	38.5
Some Decrease	1	.8	.9
Substantial Decrease			
Missing	1	.8	

... Litter

Substantial Increase	43	36.4	36.8
Some Increase	35	29.7	29.9
No Effect	38	32.2	32.5
Some Decrease	1	.8	.9
Substantial Decrease			
Missing	1	.8	

Consultants' Final Report - A14

... Noise

Substantial Increase	40	33.9	34.5
Some Increase	32	27.1	27.6
No Effect	42	35.6	36.2
Some Decrease	1	.8	.9
Substantial Decrease	1	.8	.9
Missing	2	1.7	

... Safety

Substantial Increase	25	21.2	21.6
Some Increase	12	10.2	10.3
No Effect	24	20.3	20.7
Some Decrease	9	7.6	7.8
Substantial Decrease	46	39.0	39.7
Missing	2	1.7	

... General Quality of Life

Substantial Increase	14	11.9	12.0
Some Increase	5	4.2	4.3
No Effect	28	23.7	23.9
Some Decrease	18	15.3	15.4
Substantial Decrease	52	44.1	44.4
Missing	1	.8	

... Property Values

Substantial Increase	9	7.6	7.7
Some Increase	8	6.8	6.8
No Effect	18	15.3	15.4
Some Decrease	23	19.5	19.7
Substantial Decrease	59	50.0	50.4
Missing	1	.8	

Consultants' Final Report - A15

... Rents

Substantial Increase	12	10.2	11.1
Some Increase	5	4.2	4.6
No Effect	42	35.6	38.9
Some Decrease	17	14.4	15.7
Substantial Decrease	32	27.1	29.6
Missing	10	8.5	

... Loitering

Substantial Increase	68	57.6	58.1
Some Increase	19	16.1	16.2
No Effect	26	22.0	22.2
Some Decrease	3	2.5	2.6
Substantial Decrease	1	.8	.9
Missing	1	.8	

... Graffiti

Substantial Increase	44	37.3	38.3
Some Increase	21	17.8	18.3
No Effect	48	40.7	41.7
Some Decrease	2	1.7	1.7
Substantial Decrease			
Missing	3	2.5	

... Vandalism

Substantial Increase	53	44.9	45.7
Some Increase	23	19.5	19.8
No Effect	38	32.2	32.8
Some Decrease	2	1.7	1.7
Substantial Decrease			
Missing	2	1.7	

Would you move if an adult entertainment business were located near your neighborhood?

Definitely Move	36	30.5	31.0
Probably Move	35	29.7	30.2
Probably not Move	28	23.7	24.1
Definitely not Move	17	14.4	14.7
Missing	2	1.7	

Consultants' Final Report - A16

Do you believe the City should regulate the location of adult businesses?

No	17	14.4	14.5
Yes	100	84.7	85.5
Missing	1	.8	

The courts have ruled that cities must provide a place for adult businesses to operate. How far away from your neighborhood would these businesses have to be to have a negligible effect on your neighborhood?

500 Feet	4	3.4	3.4
1000 Feet	10	8.5	8.6
1 Block	3	2.5	2.6
3+ Blocks	89	75.4	76.7
Farther	10	8.5	8.6
Missing	2	1.7	

In what zone do you think these types of business should be allowed?

Residential	1	.8	.9
Commercial	44	37.3	37.6
Industrial	68	57.6	58.1
None	4	3.4	3.4
Missing	1	.8	

Would you support a law that prohibited the establishment of an adult entertainment business within 500 feet of a residential area, school or church?

Strongly Support	92	78.0	78.0
Support	13	11.0	11.0
Neutral	4	3.4	3.4
Oppose	6	5.1	5.1
Strongly Oppose	3	2.5	2.5

Would you support a law that prohibited the concentration of adult entertainment businesses within 1000 feet of each other?

Strongly Support	52	44.1	44.4
Support	21	17.8	17.9
Neutral	16	13.6	13.7
Oppose	22	18.6	18.8
Strongly Oppose	6	5.1	5.1
Missing	1	.8	

Consultants' Final Report - A17

Are you aware of any specific incidents related to adult entertainment businesses in your neighborhood?

No	92	78.0	78.6
Yes	25	21.2	21.4
Missing	1	.8	

Do you own your home or do you rent?

Owner	82	69.5	70.7
Renter	34	28.8	29.3
Missing	2	1.7	

How long have you lived at your current residence?

One Year or Less	9	7.6	7.7
Four Years or Less	26	22.0	22.2
Ten Years or Less	30	25.4	25.6
More than Ten Years	52	44.1	44.4
Missing	1	.8	

What is your sex?

Female	64	54.2	54.7
Male	53	44.9	45.3
Missing	1	.8	

What is your age?

21 or Under	6	5.1	5.5
22 thru 35	32	27.1	29.1
36 thru 45	26	22.0	23.6
46 thru 65	34	28.8	30.9
66 or Older	12	10.2	10.9
Missing	8	6.8	

Consultants' Final Report - A18

What is your highest level of education?

Grade School	2	1.7	1.8
High School	32	27.1	28.1
Some College	48	40.7	42.1
College Degree	28	23.7	24.6
Graduate	4	3.4	3.5
Missing	4	3.4	

How many children do you currently have living with you under the age of eighteen?

None	60	50.8	51.3
1-2	42	35.6	35.9
3 or More	15	12.7	12.8
Missing	1	.8	

How would you characterize your ethnicity?

Caucasian	85	72.0	72.6
Hispanic	19	16.1	16.2
Vietnamese	4	3.4	3.4
Oriental	5	4.2	4.3
Black	1	.8	.9
Other	3	2.5	2.6
Missing	1	.8	

Would you like to be notified of any public hearings related to the restriction of adult entertainment businesses in Garden Grove?

Yes	76	65.0	65.0
No	42	35.0	35.0

CITY OF GARDEN GROVE ADULT BUSINESS SURVEY CALL SHEETS

CASE ID: _____

Phone number: _____

Address: _____

Interviewer date time outcome time/date of callback

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____
- 6. _____
- 7. _____
- 8. _____
- 9. _____
- 10. _____

General Notes and Problems:

Hello, my name is _____, I am an employee with the City of Garden Grove. We are conducting a survey of Garden Grove residents to gather information on the impact of certain businesses, such as adult bookstores, nude or topless dancing establishments, massage parlors, adult theaters showing X-rated movies, peep shows, etc. on your residential area. The City is conducting this survey in order to properly develop legislation in this area. Your responses are greatly appreciated and will be kept confidential.

(Need to confirm that the respondent is a responding from a residence and not a business. If responding from a business discontinue the interview.)

1. To the best of your knowledge, how close is the nearest adult bookstore or adult entertainment establishment?

- | | |
|-------------------------------------|------------------------------------|
| <input type="checkbox"/> 200 feet | <input type="checkbox"/> 1 block |
| <input type="checkbox"/> 500 feet | <input type="checkbox"/> 2 blocks |
| <input type="checkbox"/> 1000 feet | <input type="checkbox"/> 3+ blocks |
| <input type="checkbox"/> Don't know | |

2. Which adult entertainment establishment is it?

(Prompt respondent for identifying information, ie the exact business name, or location, or general identification)

6. The courts have ruled that cities must provide a place for adult businesses to operate. How far away from your neighborhood would these businesses have to be to have a negligible effect on your neighborhood?

- Less than 500 feet
- 500 feet
- 1000 feet
- 1 block
- 2 blocks
- 3+ blocks

7. In what zone do you think these types of businesses should be allowed?

- Residential
- Commercial
- Industrial

8. Would you support a law that prohibited the establishment of an adult entertainment business with 500 feet of a residential area, school or church?

- Strongly support
- Support
- Neutral
- Oppose
- Strongly oppose

9. Would you support a law that prohibited the concentration of adult entertainment business within 1000 of each other?

- Strongly support
- Support
- Neutral
- Oppose
- Strongly oppose

10. Are you aware of any specific incidents related to adult entertainment businesses in your neighborhood?

- No
- Yes

If yes please explain:

11. Do you own your home or do you rent?

- Own
- Rent

18. Would you like to be notified of any public hearings related to the restriction of adult entertainment businesses in Garden Grove?

Yes

No

If yes, confirm name and mailing address

Thank you for your assistance in responding to our questions.

(If they insist on a number of someone to contact about the survey give them the City Manager's Office number 714-741-5101)

REAL ESTATE PROFESSIONAL SURVEY

Please complete this brief survey and return it to the City of Garden Grove, City Manager's Office, by March 1, 1991. A postage paid envelope is enclosed for your convenience.

1. Based upon your personal observations as a real estate professional, or on information received through the practice of your profession, do you have an opinion as to whether the presence of an adult bookstore affects the resale or rental values of nearby properties?

Yes _____
 No opinion _____

2. How many years have you practiced in the real estate profession? _____

3. How many years have you practiced real estate in the Garden Grove area? _____

Questions 4 through 15:

Please read the following information about a hypothetical neighborhood and respond to a few questions in terms of your professional experience and judgment.

A middle-income residential neighborhood borders a main street that contains various commercial uses that serve the neighborhood. Although most of the neighborhood is comprised of single-family homes, there are two multiple-family residential complexes in the neighborhood as well. A commercial building recently has become vacant and will open shortly as a typical adult bookstore. (A "typical" adult bookstore in Garden Grove also contains several "peep show" booths.) There are no other adult bookstores or similar activities in the area. There is no other vacant commercial space presently available in the area.

Based upon your professional experience, how would you expect average values of the following types of property to be affected if they are less than 200 feet away from the new adult bookstore? (Circle the appropriate number for each type of property.)

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
4. Single-family residential	1	2	3	4	5	6	7
5. Multiple-family residential	1	2	3	4	5	6	7
6. Commercial	1	2	3	4	5	6	7

How would you expect the average value to be affected if the properties are within 200 to 500 feet of the new adult bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
7. Single-family residential	1	2	3	4	5	6	7
8. Multiple-family residential	1	2	3	4	5	6	7
9. Commercial	1	2	3	4	5	6	7

Assume that the new adult bookstore will be located within 1000 feet of an existing adult bookstore or other adult entertainment use. Based upon your professional experience, how would you expect the average values of the following types of properties to be affected, if they are less than 200 feet away from the new bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
10. Single-family residential	1	2	3	4	5	6	7
11. Multiple-family residential	1	2	3	4	5	6	7
12. Commercial	1	2	3	4	5	6	7

How would you expect the average values to be affected if the properties are within 200 to 500 feet of the new adult bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
13. Single-family residential	1	2	3	4	5	6	7
14. Multiple-family residential	1	2	3	4	5	6	7
15. Commercial	1	2	3	4	5	6	7

Questions 16 and 17:

Based upon your professional experience, how would you evaluate the impact of locating an adult bookstore within 200 feet of an area on the following:

16. If the area is residential:

	Substantial Increase	Some Increase	No Effect	Some Decrease	Substantial Decrease
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of life	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5

17. If the area is commercial:

a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of the business environment	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5
i. ability to attract other new businesses	1	2	3	4	5
j. ability of other businesses to attract customers	1	2	3	4	5

Questions 18 and 19:

Based on your professional experience, how would you evaluate the impact of locating two or more adult bookstores within 1000 feet of each other and within 200 feet of an area on the following:

18. If the area is residential:

	Substantial Increase	Some Increase	No Effect	Some Decrease	Substantial Decrease
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of life	1	2	3	4	5
g. rents	1	2	3	4	5
h. affect loitering	1	2	3	4	5

19. If the area is commercial:

	<u>Substantial Increase</u>	<u>Some Increase</u>	<u>No Effect</u>	<u>Some Decrease</u>	<u>Substantial Decrease</u>
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of the business environment	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5
i. ability to attract other businesses	1	2	3	4	5
j. ability of other businesses to attract customers	1	2	3	4	5

20. In general, to what degree do you feel adult entertainment businesses affect property values?

21. Why do you feel this way?

22. OPTIONAL: Name, Name of Firm, and Address

Would you mind if we contacted you in the future regarding your responses to these survey questions?

Yes _____
No _____

Thank you again for your assistance with this survey.

SECTION 9.1.1.05 DEFINITIONS

- A. PURPOSE The purpose of this Section is to promote consistency and precision in the application and interpretation of this Chapter. The meaning of words and phrases defined in this Section shall apply throughout this Chapter, except where the context or usage of such words and phrases clearly indicates a different meaning intended in that specific case.
- B. GENERAL INTERPRETATION The following general interpretations shall apply throughout this Section:
1. The word "shall" is mandatory and not discretionary. The word "may" is permissive and discretionary.
 2. In case of any conflict or difference in meaning between the text of any definitions and any illustration or sketch, the text shall control.
 3. Any references in the masculine or feminine genders are interchangeable.
 4. Words in the present and future tenses are interchangeable and words in the singular and plural tenses are interchangeable, unless the context clearly indicates otherwise.
 5. In case a definition is not listed in this section, the most current Webster Collegiate Dictionary shall be referred to for interpretation.
 6. In the event of a conflict between the definitions section and the remainder of Title IX, the Title IX provision shall prevail.
- C. DEFINITIONS Unless otherwise specifically provided, the words and phrases used in the Chapter shall have the following meanings:

A ACCESSORY BUILDINGS AND STRUCTURES (NON-RESIDENTIAL): A building, part of a building, or structure that is incidental or subordinate to the main building or use on the same lot, which accessory use does not alter the principal use of such lot or building. If an accessory building is attached to the main building either by a common wall or if the roof of the accessory building is a continuation of the roof of the main building, the accessory building will be considered a part of the main building.

ACCESSORY LIVING QUARTERS: Living quarters within an accessory building that is ancillary and subordinate to a principal dwelling unit, located on the same lot, for the sole use of persons employed on the premises or for temporary use by guests of the occupants. Such quarters are expressly prohibited from containing kitchen facilities or any other area used for the daily preparation of food.

ADULT ENTERTAINMENT BUSINESSES: Adult entertainment businesses shall be defined as follows:

1. Adult Book Store means an establishment having as a substantial or significant portion of its stock in trade, books, magazines, other periodicals, prerecorded motion picture film or videotape whether contained on an open reel or in cassette form, and other materials that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas or an establishment with a segment or section devoted to the sale, display, or viewing of such materials.
2. Adult Motion Picture Theater means an enclosed building with a capacity of fifty (50) or more persons used for presenting material distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
3. Adult Mini Motion Picture Theater means an enclosed building with a capacity for less than fifty (50) persons used for presenting materials distinguished or characterized by an emphasis on matter depicting or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.
4. Adult Hotel or Motel means a hotel or motel where material is presented that is distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
5. Adult Motion Picture Arcade means any establishment required to obtain a permit under Chapter 5.60 of the Garden Grove Municipal Code or any other place to which the public is permitted or invited wherein coin, token, or slug-operated or electronically, electrically or mechanically controlled still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing specified sexual activities or specified anatomical areas.
6. Cabaret means a nightclub, theater or other establishment that features live performances by topless and bottomless dancers, "go-go" dancers, exotic dancers, strippers, or similar entertainers, where such performances are distinguished or characterized by an emphasis on specified sexual activities or specified anatomical areas.
7. Escort Bureau and Introductory Services means any establishment required to obtain a permit pursuant to Chapter 5.55 of the Municipal Code.
8. Massage Parlor or Bath House means any establishment required to obtain a permit pursuant to Chapter 5.12 of the Garden Grove Municipal Code where, for any form of consideration or gratuity,

massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs.

9. Model Studio means any business where, for any form of consideration or gratuity, figure models who display specified anatomical areas are provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by persons paying such consideration or gratuity.
10. Sexual Encounter Center means any business, agency or person who, for any form of consideration or gratuity, provides a place where three or more persons, not all members of the same family, may congregate, assemble or associate for the purpose of engaging in specified sexual activities or exposing specified anatomical areas.
11. Any other business or establishment that offers its patrons services, products, or entertainment characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas.
12. For purposes of the above definitions, "emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas" is found to be in existence when one or more of the following conditions exist:
 - a. The area devoted to merchandise depicting, describing or relating to specified sexual activities or specified anatomical areas exceeds more than 15 percent of the total display or floor space area open to the public or is not screened and controlled by employees.
 - b. One of the primary purposes of the business or establishment is to operate as an adult entertainment establishment as evidenced by the name, signage, advertising or other public promotion utilized by said establishment.
 - c. One of the primary purposes of the business or establishment is to operate as an adult entertainment establishment as demonstrated by its services, products or entertainment constituting a regular and substantial portion of total business operations and/or a regular and substantial portion of total revenues received; where such services, products or entertainment are characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas. For purposes of this Section, "regular and substantial portion" is defined to mean greater than fifteen (15) percent of total operations or revenues received.
 - d. Certain types of "adult merchandise" are displayed or merchandised. For purposes of this Section, "adult merchandise" means adult, sexually oriented implements and paraphernalia,

such as, but not limited to: dildo, auto suck, sexually oriented vibrators, edible underwear, benwa balls, inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and similar sexually oriented devices.

AGRICULTURAL CROPS: The use of property for the growth and harvest of agricultural crops, including the display or sale of seasonal agricultural products grown on the parcel or an adjacent parcel in a roadside stand.

ALLEY: A public or private thoroughfare or way that may afford a primary or a secondary means of access to abutting properties.

APARTMENT: A room, or a suite of two or more rooms, in a multiple dwelling, occupied or suitable for occupancy as a dwelling unit for one family but not including motels or hotels.

ARCADE: Any place of business containing ten (10) or more amusements devices, including but not limited to pinball, air hockey and video games, for use by the public at a fee.

B BAR: A public or private business open to the general public and licensed by the California Department of Alcoholic Beverage Control with an "on-sale premises" type license, providing preparation and retail sale of alcoholic beverages for consumption on the premises, including taverns, bars and similar uses.

BILLBOARD: A sign identifying a use, facility, or service not conducted on the premises or a product that is produced, sold or manufactured off-site.

BILLIARD PARLOR OR POOL HALL: "Billiard parlor" or "pool hall" means a building, structure, or portion thereof in that are located one or more tables designed or used for play of pool, billiards, bagatelle, snooker, bumper pool, or similar games, or any establishment required to obtain a permit under Chapter 5.40.20 of the Municipal Code.

BOARDING/LODGING FACILITY: A building containing a dwelling unit where lodging is provided, with or without meals, for compensation with not more than five (5) guest rooms for ten (10) persons.

BUILDING: Any structure that is completely roofed and enclosed on all sides, excluding all forms of vehicles even though immobilized.

BUILDING FRONT: That side of any building designed or utilized as the primary customer or pedestrian entrance to the building. Each building may have more than one side of the building designated as a front under this definition.

BUILDING HEIGHT: The vertical distance measured from the average level of the building site to the uppermost roof point of the structure, excluding chimneys, antennas, architectural appurtenances and similar features.

- (7) For shopping center associations, the number of days shall be used on a monthly or quarterly schedule.
- (8) The number of days for individual business addresses shall count toward the maximum allowable days allocated for special event sales.
- (9) All merchandise, materials, signs and debris shall be removed from the outdoor area by 10:00 a.m. of the day following the closure of the event, unless extended by the Director.

7. Holiday Lot Sales

Christmas tree sales, fireworks sales and pumpkin sales may be permitted to operate, subject to the following conditions:

- a. Such use shall be restricted to commercially zoned property.
- b. Applications must be submitted ten (10) days in advance of the sale.

SECTION 9.1.2.06 ADULT ENTERTAINMENT USES

A. PURPOSE.

The City Council of the City of Garden Grove finds that adult entertainment businesses, as defined in Section 9.1.1.05C, because of their very nature, have certain harmful secondary effects on the community. These secondary effects include:

1. Depreciated property values, vacancy problems in commercial space (particularly in the newer commercial buildings).
2. Interference with residential neighbors' enjoyment of their property due to debris, noise, and vandalism.
3. Higher crime rates in the vicinity of adult businesses.
4. Blighted conditions such as a low level of maintenance of commercial premises and parking lots.

The City Council further finds that the restrictions and development standards contained in this Section will tend to mitigate, and possibly avoid, the harmful secondary effects on the community associated with adult entertainment businesses. The primary purpose of these regulations is the amelioration of harmful secondary effects on the community. The regulations contained in this section are unrelated to the suppression of free speech and do not limit access by adults to materials with First Amendment potential.

8. SPECIFIED SEXUAL ACTIVITIES AND ANATOMICAL AREAS.

Pursuant to Section 9.1.1.05C, an adult entertainment business is any business or establishment that offers its patrons services, products or entertainment characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."

1. For purposes of this Section, "specified sexual activities" shall include the following:
 - a. Actual or simulated sexual intercourse, oral copulation, anal intercourse, oral-anal copulation, bestiality, direct physical stimulation of unclothed genitals, flagellation or torture in the context of a sexual relationship, or the use of excretory functions in the context of a sexual relationship, and any of the following depicted sexually oriented acts or conduct: anilingus, buggery, coprophagy, coprophilia, cunnilingus, fellatio, necrophilia, pederasty, pedophilia, piquerism, sapphism, zoerasty; or
 - b. Clearly depicted human genitals in a state of sexual stimulation, arousal or tumescence; or
 - c. Use of human or animal masturbation, sodomy, oral copulation, coitus, ejaculation; or
 - d. Fondling or touching of nude human genitals, pubic region, buttocks or female breast; or
 - e. Masochism, erotic or sexually oriented torture, beating or the infliction of pain; or
 - f. Erotic or lewd touching, fondling or other contact with an animal by a human being; or
 - g. Human excretion, urination, menstruation, vaginal or anal irrigation.
 - h. Dancing by one (1) or more live entertainers in a manner displaying specific anatomical areas.
2. For the purpose of this Section, "specified anatomical areas" shall include the following:
 - a. Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and
 - b. Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

C. SPECIAL REGULATIONS.

In a C-2 zone, where the adult entertainment businesses regulated by this Part would otherwise be permitted, it shall be unlawful to establish any such entertainment business without the benefit of the hearing body approving a Conditional Use Permit and if the location is:

1. Within two hundred (200) feet of any area zoned for residential use or within two hundred (200) feet of any building owned and occupied by a public agency;
2. Within one thousand (1,000) feet of any other "adult entertainment" business;
3. Within one thousand (1,000) feet of any school facility, public or private, grades K through 12; park; playground; public libraries; licensed day care facilities; church and accessory uses.

The "establishment" of any "adult entertainment" business shall include the opening of such a business as a new business, the relocation of such business or the conversion of an existing business location to any "adult entertainment" business uses.

For the purposes of this Section, all distances shall be measured in a straight line, without regard to intervening structures or objects, from the nearest point of the building or structure used as a part of the premises where said adult entertainment business is conducted to the nearest property line of any lot or premises zoned for residential use, or to the nearest property line of any lot or premises of a church or educational institution utilized by minors or to the nearest point of any building or structure used as a part of the premises of any other adult entertainment business.

D. VARIANCE OF LOCATIONAL PROVISIONS.

Any property owner or his authorized agent may apply to the hearing body for a variance of any locational provisions contained in this Section. The hearing body, after a hearing, may grant a variance to any locational provision, if the following findings are made:

1. That the proposed use will not be contrary to the public interest or injurious to nearby properties, and that the spirit and intent of this Section will be observed;
2. That the proposed use will not unreasonably interfere with the use and enjoyment of neighboring property or cause or exacerbate the development of urban blight;
3. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation or revitalization nor will it interfere with any program being carried out pursuant to the Community Redevelopment Law; and

4. That all applicable regulations of this Code will be observed.

The procedure for this hearing shall be the same as that provided in Article 6, Division 2 of the Garden Grove Municipal Code, with, among other matters, the same notice requirements, the same right of appeal to the City Council, and the same fees payable by the applicant. The Development Services Department shall prepare the necessary application form for this variance.

E. ADULT MERCHANDISE IN NON-ADULT USE BUSINESS.

1. Definitions. For the purposes of this Part, "adult merchandise" is defined as any product dealing in or with explicitly sexual material as characterized by matter depicting, describing, or relating to specified sexual activities or specified anatomical areas. In addition, "non-adult use business" means any business or establishment not included in Section 9.11.05C.
2. Floor Space Limitations. No more than fifteen (15) percent of total floor space area open to the public of a non-adult use business shall be devoted to adult merchandise.
3. Segregation of Adult Merchandise. Retailers classified as non-adult use establishments shall display adult merchandise in an area of the business segregated and screened from the area used for the sale and display of non-adult merchandise. Screening may be accomplished with partitions or said adult materials may be displayed in separate rooms.
4. Access by Minors. Non-adult use establishments shall provide controls sufficient to prohibit access by persons under eighteen (18) years of age to areas screened or segregated for the purpose of selling or displaying adult merchandise.
5. Certain Merchandise Prohibited. Non-adult use businesses shall not display or merchandise adult, sexually oriented implements and paraphernalia, including, but not limited to: dildos, auto sucks, sexually oriented vibrators, edible underwear, benwa balls, inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and similar sexually oriented devices.

F. NEWSRACKS.

Newsracks shall not display specified sexual activities or specified anatomical areas.

SECTION 9.1.2.07 ALCOHOLIC BEVERAGE SALES

- A. PURPOSE. To establish criteria and conditions for uses that sell, serve, or allow consumption of alcoholic beverages.

REAL ESTATE PROFESSIONAL SURVEY

Please complete this brief survey and return it to the City of Garden Grove, City Manager's Office, by March 1, 1991. A postage paid envelope is enclosed for your convenience.

1. Based upon your personal observations as a real estate professional, or on information received through the practice of your profession, do you have an opinion as to whether the presence of an adult bookstore affects the resale or rental values of nearby properties?

Yes _____
No opinion _____

2. How many years have you practiced in the real estate profession? _____

3. How many years have you practiced real estate in the Garden Grove area? _____

Questions 4 through 15:

Please read the following information about a hypothetical neighborhood and respond to a few questions in terms of your professional experience and judgment.

A middle-income residential neighborhood borders a main street that contains various commercial uses that serve the neighborhood. Although most of the neighborhood is comprised of single-family homes, there are two multiple-family residential complexes in the neighborhood as well. A commercial building recently has become vacant and will open shortly as a typical adult bookstore. (A "typical" adult bookstore in Garden Grove also contains several "peep show" booths.) There are no other adult bookstores or similar activities in the area. There is no other vacant commercial space presently available in the area.

Based upon your professional experience, how would you expect average values of the following types of property to be affected if they are less than 200 feet away from the new adult bookstore? (Circle the appropriate number for each type of property.)

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
4. Single-family residential	1	2	3	4	5	6	7
5. Multiple-family residential	1	2	3	4	5	6	7
6. Commercial	1	2	3	4	5	6	7

How would you expect the average value to be affected if the properties are within 200 to 500 feet of the new adult bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
7. Single-family residential	1	2	3	4	5	6	7
8. Multiple-family residential	1	2	3	4	5	6	7
9. Commercial	1	2	3	4	5	6	7

Assume that the new adult bookstore will be located within 1000 feet of an existing adult bookstore or other adult entertainment use. Based upon your professional experience, how would you expect the average values of the following types of properties to be affected, if they are less than 200 feet away from the new bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
10. Single-family residential	1	2	3	4	5	6	7
11. Multiple-family residential	1	2	3	4	5	6	7
12. Commercial	1	2	3	4	5	6	7

19. If the area is commercial:

	Substantial Increase	Some Increase	No Effect	Some Decrease	Substantial Decrease
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of the business environment	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5
i. ability to attract other businesses	1	2	3	4	5
j. ability of other businesses to attract customers	1	2	3	4	5

20. In general, to what degree do you feel adult entertainment businesses affect property values?

21. Why do you feel this way?

22. OPTIONAL: Name, Name of Firm, and Address

Would you mind if we contacted you in the future regarding your responses to these survey questions?

Yes _____
No _____

Thank you again for your assistance with this survey.

How would you expect the average values to be affected if the properties are within 200 to 500 feet of the new adult bookstore?

	Decrease 20%	Decrease 10-20%	Decrease 0-10%	No Effect	Increase 0-10%	Increase 10-20%	Increase 20%
13. Single-family residential	1	2	3	4	5	6	7
14. Multiple-family residential	1	2	3	4	5	6	7
15. Commercial	1	2	3	4	5	6	7

Questions 16 and 17:

Based upon your professional experience, how would you evaluate the impact of locating an adult bookstore within 200 feet of an area on the following:

16. If the area is residential:

	Substantial Increase	Some Increase	No Effect	Some Decrease	Substantial Decrease
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of life	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5

17. If the area is commercial:

a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of the business environment	1	2	3	4	5
g. rents	1	2	3	4	5
h. loitering	1	2	3	4	5
i. ability to attract other new businesses	1	2	3	4	5
j. ability of other businesses to attract customers	1	2	3	4	5

Questions 18 and 19:

Based on your professional experience, how would you evaluate the impact of locating two or more adult bookstores within 1000 feet of each other and within 200 feet of an area on the following:

18. If the area is residential:

	Substantial Increase	Some Increase	No Effect	Some Decrease	Substantial Decrease
a. crime	1	2	3	4	5
b. traffic	1	2	3	4	5
c. litter	1	2	3	4	5
d. noise	1	2	3	4	5
e. safety of women and children	1	2	3	4	5
f. general quality of life	1	2	3	4	5
g. rents	1	2	3	4	5
h. affect loitering	1	2	3	4	5