



**THE FOLLOWING ACTIONS WERE TAKEN BY THE CITY PLANNING
COMMISSION ON THURSDAY, SEPTEMBER 7, 2006**

AGENDA ITEM IV – Public Hearing

Proposed amendments to the Zoning Code covering Adult Businesses

For the record:

Commissioner McAustin recused from participating on this item.

1st Motion:

Moved / seconded by Commissioners Quirk and McDonald to recommend that the City Council approve the zoning code amendments regarding adult business definition and operation requirements as recommended by staff with the amendment to make the required separation distance between performer and patron 5 feet instead of 4 feet.

Vote:

Vote taken; motion was approved 6-0. Commissioners Tornek, and Johnston absent.

2nd Motion:

Moved / seconded by Commissioners McDonald and Quirk to recommend that the City Council request that staff and the City Attorney conduct a comprehensive study of the adult business ordinance including an examination of the following proposed amendments:

1. Increase the required separation distance from sensitive uses from 500 feet to 1,000 feet.
2. Include residential zones or uses in the definition of sensitive uses.
3. Include family-day care uses in the definition of sensitive uses.
4. Increase the required separation distance between adult uses from 1,000 feet to 1,500 feet.
5. Make the regulations as restrictive as is legally permissible.
6. Require periodic review the ordinance every two years to address changes in case law.

To the extent necessary for the purpose of further study of other ideas, the Planning Commission additionally recommends that the City Council adopt a moratorium.

Vote:

Vote taken; motion was approved 6-0. Commissioners Tornek, and Johnston absent.