

## CHAPTER 29.22-31. SEXUALLY-ORIENTED BUSINESS <sup>1</sup>

### Sections:

- 29.31.010 Purpose
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### **29.22-31.010. Purpose.**

The purpose and objective of this Chapter is to establish reasonable and uniform regulations to prevent the concentration of sexually-oriented business or their location in areas deleterious to the City, regulate the signage of such businesses, control the adverse effects of such signage, and prevent inappropriate exposure of such businesses to the community. This chapter is to be construed as a regulation of time, place, and manner of the operation of these businesses, consistent with the United States and Utah Constitutions.

### **29.22-31.020. Location of Businesses - Restrictions.**

A. Sexually-oriented businesses shall only be permitted in areas zoned MD (Manufacturing/Distribution) and MG (General Manufacturing) under this title, subject to the following additional restrictions.

1. No sexually-oriented business shall be located:
  - a. Within 1,000 feet of any public or private school or educational institution, child day care facility, public or private park or plaza, library, or religious institution;
  - b. Within 1000 feet of any residential use, adult day care facility, community correctional facility, fraternity or sorority house, homeless shelter, juvenile detention facility, nursing home, protective housing facility, rehabilitation/treatment facility, sheltered workshop, transitional housing facility, or any agricultural or residential zoning boundary;<sup>2</sup>
  - c. Within 600 feet of any other sexually-oriented businesses, except outcall services;
  - d. Within 350 feet of any gateway corridor. Gateway corridors include Main Street, S.R. 13, 200 South, Forest Street, 1100 South (Highway 91), Watery Lane, 1200 West, and 600 North. The distance shall be measured from the right-of-way boundary of an improved street or the future right-of-way boundary of unimproved streets.

2. Distance requirements between structures and uses specified in this Section shall be measured in a straight line, without regard to intervening structures or zoning districts, from the property boundaries of the school, public park, religious or cultural activity, residential use, or other sexually-oriented businesses, or from the right-of-way line of a gateway to the structure of the sexually-oriented business.

3. Distance requirements from zoning districts for this Section shall be measured in a straight line, without regard to intervening structures of zoning districts, from the closest zoning boundary of a residential or agricultural district to the sexually-oriented business structure.

### **29.22-31.030. Signs.**

Notwithstanding anything contrary contained in Title 29.18 of the Brigham City Code, the more restrictive requirements for signs shall prevail. Signs for sexually-oriented businesses located in MD (Manufacturing/Distribution) and MG (General Industrial) shall be limited as follows:

- A. No more than one exterior sign shall be allowed;
- B. No sign shall be allowed to exceed 18 square feet;
- C. No animation shall be permitted on or around any sign or on the exterior walls or roof of such premises;
- D. No descriptive art or designs depicting any activity related to or inferring the nature of the business shall be allowed on any sign. Said signs shall contain alphanumeric copy only;
- E. Only flat wall signs and/or awning signs shall be permitted;
- F. Painted wall advertising shall not be allowed;
- G. Other than the signs specifically allowed by this Chapter, the sexually-oriented business shall not attach, construct, or allow to be attached or constructed any temporary sign, banner, light, or other device designed to draw attention to the business location.

### **29.22-31.040. Definitions.**

Terms involving sexually-oriented businesses which are not defined in this title shall have the meanings set forth in Section 14.20 of the Brigham City Code.

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<sup>1</sup> Numbering changed with Ordinance No. 07-13, dated 7/19/07

<sup>2</sup> Ordinance No. 01-13, dated 2/15/01