

Subd. L. Sexually Oriented Uses.

1. **General.** Sexually oriented uses as defined in this Ordinance shall be subject to the following provisions:
 - a. Activities classified as obscene as defined by Minnesota Statute 617.241 are not permitted and are prohibited.
 - b. Sexually oriented uses, either principal or accessory, shall be prohibited from locating in any building which is also utilized for residential purposes.
 - c. Sexually oriented uses, either principal or accessory, shall be prohibited from locating in any building which is also used to dispense or consume alcoholic beverages.
 - d. A sexually oriented use which does not qualify as an accessory use shall be classified as a sexually oriented use-principal.
2. **Sexually Oriented Uses - Principal.**
 - a. Sexually oriented use-principal shall be located at least three hundred (300) radial feet, as measured in a straight line from the closest point of the property line of the building upon which the sexually oriented use-principal is located to the property line of:
 - 1) Residentially zoned property
 - 2) A licensed day care center
 - 3) A public or private educational facility classified as a pre-school, elementary, junior high or senior high
 - 4) A public library
 - 5) A public park
 - 6) Another sexually oriented use-principal
 - 7) An on-sale liquor establishment
 - 8) Churches.
 - b. Sexually oriented use-principal activities, as defined by this Ordinance, shall be classified as one use. No two sexually oriented uses-principal shall be located in the same building or upon the same property and each use shall be subject to Section 51.03, Subd. L.1.b and Subd. L.1.c.
 - c. Sexually oriented use-principal shall, in addition to other sign requirements established by City Code, adhere to the following signing regulations:
 - 1) Sign messages shall be generic in nature and shall only identify the type of business which is being conducted.

- 2) Shall not contain material classified as advertising.
- 3) Shall comply with the requirements of size and number for the district in which they are located.

3. **Sexually Oriented Uses - Accessory.**

- a. Sexually oriented use-accessory shall:
 - 1) Comprise no more than five (5) percent of the floor area of the establishment in which it is located.
 - 2) Comprise no more than ten (10) percent of the gross receipts of the entire business operation.
 - 3) Not involve or include any activity except the sale or rental of merchandise.
- b. Sexually oriented use-accessory shall be restricted from and prohibit access to minors by the physical separation of such items from areas of general public access:
 - 1) Movie Rentals. Display areas shall be restricted from general view and shall be located within a separate room, the access of which is in clear view and under the control of the persons responsible for the operation or shall be in catalogs under the direct control and distribution of the operator.
 - 2) Magazines. Publications classified or qualifying as sexually oriented uses shall not be physically accessible to minors and shall be covered with a wrapper or other means to prevent display of any material other than the publication title.
 - 3) Other Use. Sexually oriented uses-accessory not specifically cited shall comply with the intent of this section subject to the approval of the Zoning Administrator.
- c. Sexually oriented use-accessory shall be prohibited from both internal and external advertising and signing of adult materials and products.
- d. Sexually oriented use-accessory activities shall be prohibited at any public show, movie, caravan, circus, carnival, theatrical or other performance or exhibition presented to the general public where minors are admitted.