



THE CITY OF SAN DIEGO

Adult Entertainment Business

CITY OF SAN DIEGO DEVELOPMENT SERVICES
1222 FIRST AVENUE, MS 301 SAN DIEGO, CA 92101-4101
CALL (619) 446-5300 FOR APPOINTMENTS AND (619) 446-5000 FOR INFORMATION

INFORMATION
BULLETIN

144

DECEMBER 2009

This information bulletin defines adult entertainment businesses and clarifies where these establishments may be located within the City of San Diego. Some Planned District Ordinances contain adult entertainment regulations that supersede the information in this bulletin. For further information or clarification of the adult entertainment regulations, visit our web page at www.sandiego.gov/development-services or visit the Development Services Department's Development and Permit Information counter located at 1222 1st Avenue, third floor. Appointments are recommended; phone (619) 446-5300.

Documents Referenced in this Information Bulletin

- San Diego Municipal Code, ([SDMC, Section 141.0601](#))
- [Information Bulletin 122](#), How to Prepare a Typical Site Plan & Vicinity Map
- General Application, [DS-3032](#)
- [Adult Entertainment Establishment Zoning Use Certificate](#)

I. WHAT IS AN ADULT ENTERTAINMENT BUSINESS?

San Diego Municipal Code Section 141.0601 defines the activities which constitute an adult entertainment business as a place of business where any "specified sexual activities" are conducted, or where "specified anatomical areas" are displayed.

The following Adult Entertainment Businesses are regulated uses as specified by Municipal Code Section 141.0601:

- A. Adult body painting studios
- B. Adult stores
- C. Adult cabarets
- D. Adult outdoor theaters
- E. Adult massage businesses
- F. Adult mini-motion picture theaters
- G. Adult model studios
- H. Adult motels
- I. Adult motion picture theaters
- J. Adult peep show businesses
- K. Adult sexual encounter businesses
- L. Adult theaters

II. PERMITTED LOCATIONS

Adult entertainment businesses are permitted as a limited use in the zones indicated with an "L" in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), also Planned Districts may permit these regulated uses, all are subject to the regulations in Section 141.0601.

Adult entertainment businesses shall not be established, enlarged or undergo a transfer of ownership or control if the structure housing the business would be located within 1,000 feet of

any of the following:

- A. Another structure housing an adult entertainment business;
- B. The property line of a residentially zoned property;
- C. The property line of a church except those established in accordance with Section 141.0104(a),
- D. The property line of a school;
- E. The property line of a public park;
- F. The property line of a social service institution

If a church other than one established in accordance with Section 141.0404(a), a school, a public park, a social service institution, or a residential zone is established within 1,000 feet of an adult entertainment business, the person possessing ownership or control of the adult entertainment business is permitted to transfer ownership or control within 2 years of the date on which the school begins a course of instruction for students, the church or social service institution is opened for use, the public park is dedicated, or the ordinance establishing the residential zone becomes effective.

The person acquiring the ownership or control, however, shall be required to discontinue the adult entertainment business within 5 years from the date of the transfer of ownership or control if the business continues to be within 1,000 feet of the uses or properties listed in Section 141.0601(b)(1).

III. ADMINISTRATIVE REVIEW

An Administrative Review is required for those Adult Entertainment Businesses meeting all six location standards listed in Section II of this bulletin.

IV. APPLICATION PACKAGE

Provide the following documents:

A. General Application (DS-3032)

All projects must be submitted with a General Application.

B. Adult Entertainment Establishment Zoning Use Certificate

Complete and sign the attached Adult Entertainment Establishment Zoning Use Certificate.

C. 1000-foot Radius Map

Provide 2 copies of an Assessor’s Parcel Map outlining a 1000-foot radius around the subject property. Assessor’s Parcel Maps may be obtained at the County Assessor’s Office, 1600 Pacific Highway or Phone (619) 236-3771 or visit their web page at: www.sdarcc.com.

D. Site Plan

See Information Bulletin 122 Site Plan & Vicinity Map. Provide a fully dimensioned site plan drawn to scale, showing:

1. Boundaries and dimensions of the property.
2. Names and right-of-way widths of bordering street(s) and alleys
3. Location and dimensions of existing and proposed buildings.
4. Identification of the use of all structures, existing and proposed. If the proposed adult entertainment establishment is a leased space in a multi-tenant building, identify the lease space within that building.
5. Distance from the building(s) to the property line(s).
6. Distance from the front property line to the curb or to the center line of the street.
7. Provide the owner’s name, address, and phone number and the business owner’s name, address, phone number and assessor’s parcel number for the specific site location.

F. FEE

The following fees will be charged at the time of application:

Application and review fee.....	\$1,456.00
Records fee.....	\$20.00
Mapping fee.....	\$10.00

V. OPTIONS FOR SERVICE

All Adult Entertainment applications must be submitted by:

A. Appointment: To schedule an appointment, call (619) 446-5300.

B. Walk-In Service: Visit the Development Services Department at 1222 1st Avenue, 3rd Floor, Check-In counter.

VI. OTHER PERMITS

All tenant improvements, additions, new buildings, signs, change of use, etc., require a separate Construction Permit.



City of San Diego
 Development Services
 1222 First Avenue, MS 301
 San Diego, CA 92101-4101
 (619) 446-5000

Adult Entertainment Establishment Zoning Use Certificate

The Adult Entertainment Establishment Zoning Use Certificate is issued based on the information provided by the applicant on this application and other documentation provided. The issuance of the certificate is valid until the business use has changed, expanded or relocated. A new Adult Entertainment Establishment Zoning Use Certificate must be obtained prior to a change in ownership of an adult entertainment establishment. Changes of ownership of an adult entertainment establishment are limited by the provisions of Municipal Code Section **141.0601(b)(2)**.

The business is required to operate in compliance with all applicable development regulations and operational standards of the zone. The applicant is responsible to comply with all City, County and State regulations. **The Zoning Use Certificate is not a permit or license. Appropriate permits or licenses required by law must be obtained from the proper agency. A certificate issued in error or based upon inaccurate information does not confer a right to conduct a business.**

1. Business Name: _____ Telephone No. _____
2. Business Address: _____
3. Legal Description (Lot, Block, Map No. or Parcel No. of Parcel Map No.): _____
4. Describe the proposed activities to be conducted on the premises, including any products or services provided:

The property owner or authorized agent and business owner must complete the following section and sign their name where indicated.

I am aware that the business described above is subject to the Adult Entertainment regulations (San Diego Municipal Code Section **141.0601**). I certify that the proposed business location is not within 1000 linear feet (measured in a straight line) of any other business that is subject to the Adult Entertainment regulations, a residential zone, church, school, public park, or social welfare institution (as defined in Municipal Code Sections **141.0601 and 141.0404**). I have a copy of the aforementioned code, have read it, and certify that the proposed business will comply with all requirements.

Name of Property Owner or Agent:	Name of Business Owner(s) (please print):
Mailing Address:	Mailing Address:
Telephone No.:	Telephone No.:
Signature: _____ Date: _____	Signature: _____ Date: _____

For City Use Only	
Project No.:	Application Date:
Zone, Overlay Zone, Emergency or Interim Ordinances, Special Conditions:	
<input type="checkbox"/> Approved <input type="checkbox"/> Denied	
By: _____	Date: _____