



CITY OF OAKLAND

ADULT ENTERTAINMENT ACTIVITIES

CONDITIONAL USE PERMIT FINDINGS

The Zoning Ordinance describes two different types of uses in each zoning district: 1) permitted uses; and 2) conditional uses. Conditional uses are those which require special consideration from the City. The Conditional Use Permit (CUP) process provides the City with the flexibility to determine if a specific use at a certain location will be compatible with the neighborhood. Conditional Use Permits can only be granted if all of the following findings can be made.

Adult Entertainment Activities are defined as any commercial activity, whether conducted intermittently or full-time, which primarily involves the sale, display, exhibition, or viewing of books, magazines, films, photographs, or other materials, distinguished or characterized by an emphasis on matter depicting, describing, or relating to human sex acts, or by emphasis on male or female genitals, buttocks, or female breasts.

Please indicate the way in which the proposal meets the following required criteria. Attach additional sheets if necessary.

1. The requested use at the proposed location will not adversely affect the use of churches, temples or synagogues; public, parochial or private elementary, junior high or high schools; public parks and recreation centers; public or parochial playgrounds; residences; child care facilities; elderly residential care facilities; hospitals; medical clinics; colleges; or libraries, all within a five hundred (500) foot radius by engendering sounds, activities, visual depictions or advertisements that create an exterior atmosphere which unreasonably interferes with the operations of such surrounding uses:

2. The requested use at the proposed location is sufficiently buffered in relation to residentially zoned areas within the immediate vicinity such that any obtrusive or distracting environmental factors which may emanate from the use do not adversely affect said areas:

-continued-

3. The exterior appearance of the structure will not be conspicuously of a lesser quality (i.e., with respect to such elements as building facade, lighting, and signage materials) than the exterior appearance of commercial structures already constructed or under construction within the immediate neighborhood or cause a substantial diminution or impairment of property values within the neighborhood:

4. The proposed use will not be inconsistent with the adopted general plan for the area:

5. The proposed site is adequate in size and shape to accommodate the parking and loading facilities, landscaping and other development features prescribed in the planning code or other city regulations or as is otherwise required in order to integrate said use with the uses in the surrounding area:

6. The proposed site is adequately served:

a. By highways or streets of sufficient width and capacity to carry the kind and quantity of traffic and to accommodate the parking demand such use would generate

b. By other public or private service facilities such as fire protection or trash collection services as are required:
