
MEETING DATE: July 25, 2023 **STAFF:** Tom Scannell, Community Development Director

PROJECT NAME: UDO Amendment #57 – Adult Businesses

CASE NUMBER / REQUEST: Case 23-175-03 – UDO Amendment #57 – Adult Businesses – The City proposes Amendment #57 of the Unified Development Ordinance pertaining to Adult Businesses.

APPLICANT: City of Independence

PUBLIC NOTICE:

- Public notice published in Independence Examiner – July 7, 2023

FURTHER ACTION:

Following action by the Planning Commission, this UDO Amendment is scheduled for first reading by City Council on August 21, 2023 and the public hearing/second reading on September 5, 2023.

RECOMMENDATION

Staff recommends **APPROVAL** of the proposed amendment to the Unified Development Ordinance.

PROJECT DESCRIPTION & BACKGROUND INFORMATION

PROJECT DESCRIPTION:

The City proposes Amendment #57 to the Unified Development Ordinance (UDO) related to Adult Businesses.

BACKGROUND & HISTORY:

In March 1993, the City Council passed Ordinance No. 12351 enacting a new Article 17 of Chapter 5 to regulate adult entertainment businesses. This ordinance only regulated adult entertainment businesses (for example, adult cabaret, adult arcade, and adult entertainment facilities). However, this ordinance did not regulate other adult businesses.

In March 2023, the Council asked for an amendment to the City’s existing adult entertainment regulations found in Chapter 5 Business and Occupation Licenses. Staff prepared the changes after researching best practices from communities around Missouri. The amendment included the regulations applying to all adult businesses and updating other operational provisions:

- Updates license requirements to apply to all adult businesses.

- Updates the license application information, the application processing, and license issuance/disapproval.
- Updates license ineligibility and disqualification including the separation requirements (i.e., from school, church, licensed child care center, public park; and property zoned or used for residential purposes as well as from any establishment holding a liquor license) applies to all adult businesses.
- Updates the Standard of Conduct to apply to all adult business.
- Updates the requirements for a manager to be on premises for all adult businesses.
- Updates the suspension, revocation and non-renewal of a license so it applies to all adult businesses.

In June 2023, the City Council asked for an amendment to the land use regulations found in the UDO pertaining to adult businesses.

The proposed UDO amendment would require approval of a special use permit for any adult business in the C-2 District.

Staff believes the proposed amendment will better serve our community and help regulate all adult businesses.

EXHIBITS

1. Amended Section 14-301-03 Commercial Use Table