



CITY OF COLLEGE STATION
DEVELOPMENT SERVICES
1101 Texas Avenue South, PO Box 9960
College Station, Texas 77842
Phone 979.764.3570 / Fax 979.764.3496

MEMORANDUM

September 15, 2004

TO: City Council

FROM: Natalie Thomas Ruiz, Development Manager

THROUGH: Tom Brymer, City Manager
Harvey Cargill, Jr., City Attorney
Joey Dunn, Director of Development Services

SUBJECT: Impacts of Sexually-Oriented Businesses in College Station.

There is convincing documented evidence that adult entertainment enterprises, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of the property values. Numerous studies, reports, and findings concerning the harmful effects of adult entertainment uses on the surrounding land uses and neighborhoods have been produced.

- (A) DETROIT, MICHIGAN- The Detroit Adult Entertainment Use Regulations were adopted in 1972 as a part of an "Anti Skid Row Ordinance" that prohibited an adult entertainment business within 500 feet of any residential area and within 1000 feet of any two other regulated uses. The term *regulated use* applied to a variety of other sexual entertainment, establishments, including adult theaters, adult book stores, cabarets, bars, taxi dance halls, and hotels. During the hearings on the ordinance, the City introduced extensive documentation that demonstrated the adverse socio-economic and blighting impacts that adult entertainment uses have on surround development. The documentation consisted of reports and affidavits from sociologists, urban planners, and real estate experts, as well as

some laymen on the cycle of decay expected in Detroit from the influx and concentration of such establishments.

- (B) AMARILLO, TEXAS- In 1977, the Amarillo Planning Department prepared a report entitled, *A Report on Entertainment Uses in Amarillo*. The report concluded that adult entertainment uses have adverse impacts on surrounding land uses, and that those impacts on surrounding land uses, and that those impact can be distinguished from those of other businesses. The study found that street crime rates are considerably the City's average in areas immediately surrounding the adult-only businesses, and that late at night, during their primary operating hours, these businesses create unique problems of noise, glare, and traffic.
- (C) LOS ANGELES, CALIFORNIA- A November 1984 report, *The Current Status of Pornography and its Effect on Society*, prepared by Los Angeles Police Department's concentrating adult entertainment businesses. The overwhelming increase in prostitution, robberies, assaults, thefts, and proportionate growth in police personnel deployed throughout Hollywood are all representative of the blighting that clustering of adult entertainment establishments has on the entire community.
- (D) INDIANAPOLIS, INDIANA- In 1984, Indianapolis surveyed real estate experts on the impact that adult entertainment uses had on surrounding property values. A random sample (20 percent) of the national membership of the American Institute of Real Estate appraisers was used. The opinion survey found that an adult bookstore located in the hypothetical neighborhood described would have a negative impact on residential property values of premises located within on block of the site.
- (E) PHOENIX, ARIZONA- A 1979 Planning Department study compared three study areas containing adult entertainment uses with control areas that had similar demographic and land use characteristics but not adult entertainment businesses. Their study indicated that, on the average, "In the three study areas, property crimes were 36 percent higher than in the control areas.
- (F) ST. PAUL, MINNESOTA- In 1978, the Planning Department of St. Paul completed a study of Effects on Surrounding Area of Adult Entertainment Businesses. The study concluded: (1) that there was a statistically significant correlation between neighborhood deterioration as reflected in housing values and crime rates and the location of adult entertainment businesses; (2) the statistical relationship was still significant after taking into account certain marketing factors, and; (3) there was a stronger

correlation with neighborhood deterioration after establishment of an adult entertainment business than before.

- (G) BEAUMONT, TEXAS- The effects of the concentration of adult entertainment uses in Beaumont was clearly illustrated in the commercial revitalization plan for the Charlton-Pollard neighborhood that was prepared by the City's Planning Department in May of 1981. This plan described the economic decline that followed the establishment of adult entertainment uses in a specific neighborhood. It was noted that the growing presence of adult businesses drive away neighborhood commercial stores.
- (H) SEATTLE, WASHINGTON- In 1976, the city of Seattle amended its zoning ordinance providing for the gradual elimination of nonconforming adult theaters. In a memorandum to the City Planning Commission from the Planning Department, proposed zoning ordinance amendments are recommended based in the evidence that neighborhood property values will be negatively impacted and that residents fear that some of the people attracted by adult theaters may constitute a threat to the comfort and safety of the residents. Evidence was presented in the report, which indicated that adult theaters were not compatible with adjacent residence and other types of uses such as churches, schools, etc.
- (I) AUSTIN, TEXAS- In May of 1986 the Austin Planning Department published a report on adult businesses in Austin. An analysis of crime rates in Austin was conducted by comparing areas with adult businesses to areas with out adult businesses. Four study areas were chosen that did not contain adult containing only one adult business each, and two study area were chosen containing two adult businesses each. Within those study areas containing adult businesses, sex crimes were found to be from two to nearly five times the citywide average. Also, sex related crime rates were found to be 66% higher in study areas containing two adult businesses as compared to study areas containing only one (1) adult business. Austin conducted a survey of 120 real estate appraisers and lending institutions. Eighty-eight percent (88%) of those responding indicated a belief that an adult bookstore would decrease residential property values with in one (1) block, and 59% felt that residential property values would decrease within three (3) blocks. A survey of three adult businesses in Austin revealed that only three customers had addresses within one mile of an adult business and 44% of all customers visiting the three adult businesses had addresses outside the City of Austin.

The above studies show that concentrations of adult entertainment uses within a community have a serious deleterious physical, social, and economic effect on surrounding areas. The studies also show that regulations requiring the dispersion of adult entertainment uses are justified. The studies also show that because of their nature, adult entertainment uses can and should be relegated to nonresidential and nonretail zoning districts.

Studies conducted in other cities and states throughout the country have shown a decline in neighborhoods, and neighborhood oriented commercial, religious, and institutional facilities when exposed to adult entertainment facilities.

The City of College Station is relying on the findings of these studies and is attempting to benefit the public welfare by proposing new zoning rules.

The Supreme Court has upheld the validity of such controls that disperse these kinds of activities within zoning districts that are less sensitive to their blighting influences.

There will be adequate locations for adult entertainment enterprises within the City of College Station, after passage of the Unified Development Ordinance (UDO).

It is recognized that adult entertainment enterprises due to their nature have serious objectionable operational characteristics particularly when they are located in close proximity to each other, thereby contributing to urban blight and downgrading the quality of life in the adjacent areas.

The City Council desires to minimize and control these adverse effects and thereby preserve the property values and character of surrounding neighborhoods, deter the spread of urban blight, protect the citizens from increased crime, preserve the quality of life, and protect the health, safety, and welfare of the citizenry.