



# City of Victorville

## Department of Development

Planning ♦ Building ♦ Code Enforcement

14343 Civic Drive  
PO Box 5001  
Victorville, CA 92393-5001  
(760) 955-5135  
Fax (760) 269-0070  
planning@ci.victorville.ca.us

### APPLICATION FOR ADULT SEXUALLY-ORIENTED BUSINESS PERMIT

#### INSTRUCTIONS TO APPLICANT

The applicant must complete the attached form(s), submit the application fee(s) as prescribed, including property ownership documents, and provide all additional information required before the application can be accepted for filing by the Development Department. Checks should be made payable to the City of Victorville. No refunds will be made unless approved by the City Council. Further, checks for fees should be made in the exact amount. Applications where checks for fees are incorrect will not be accepted by this department. Therefore, make sure prior to the submission of any application that checks are made out for the proper fee amount.

#### PROCEDURE BY THE DIRECTOR OF PLANNING

The Development Director will review and process this application in accordance with the applicable regulations contained in Title 18 of the Victorville Municipal Code entitled "Zoning".

#### FINDINGS/REQUIREMENTS FOR PERMIT APPROVAL

In reviewing and acting upon an application for a Adult Sexually-Oriented Business the Development Director must determine the applicant's ability to meet the following requirements. Please initial each of the following criteria indicating your understanding of them.

- \_\_\_\_\_ 1. The Adult Sexually-Oriented Business is not proposed to be located within five hundred (500) feet of any residential zone or residential use.
- \_\_\_\_\_ 2. The Adult Sexually-Oriented Business is not proposed to be located within five hundred (500) feet of any residence, church, mortuary, park, playground, eating establishment, hotel, motel, shelter for the homeless, children or victims of domestic violence, schools, nursery schools, child care facilities, movie theaters, video arcades, ice skating rinks, roller skating rinks, amusement parks, miniature golf courses, bowling alleys, and public or private swimming pools.
- \_\_\_\_\_ 3. The Adult Sexually-Oriented Business is not proposed to be located within the Civic Center of the City of Victorville, the boundaries of which are Palmdale Road on the South, Amargosa Road on the West, Mojave Drive on the North and Interstate Highway 15 on the East.
- \_\_\_\_\_ 4. The Adult Sexually-Oriented Business is not proposed to be located within five hundred (500) feet of another Adult Sexually-Oriented Business.
- \_\_\_\_\_ 5. The distance of separation required by requirements (1), (2) and (4) above shall be made using a straight line, without regard to intervening structures or objects, from the property line of the lot on which the Adult Sexually-Oriented Business shall be located to the nearest property line of the lot which is zoned residential or upon which is located a use listed in said subparagraphs. If the use to which the measurement is being taken is located on the same lot as the Adult Sexually-Oriented Business, the distance between the two shall be measured in a straight line between the front doors of each use without regard to intervening structures or objects.
- \_\_\_\_\_ 6. The Adult Sexually-Oriented Business will not stage any special events, promotions, festivals, concerts or the like that would increase the demand for parking.
- \_\_\_\_\_ 7. The Adult Sexually-Oriented Business will not conduct any massage, acupuncture, tattooing, acupressure, fortune-telling or escort services on the premises.
- \_\_\_\_\_ 8. The Adult Sexually-Oriented Business provides a security system that visually records and monitors parking lot areas. All indoor areas of the Adult Sexually-Oriented Business shall be open to public view at all times with the exception of restroom or dressing room facilities.

- \_\_\_\_\_ 9. All signs for the Adult Sexually-Oriented Business shall not depict specified adult activities or Specified Anatomical Parts as defined in Section 18.04.780 or devices for use in conjunction with specified adult activities so as to be visible from the outside of the structure being used by the Adult Sexually-Oriented Business.
- \_\_\_\_\_ 10. The Adult Sexually-Oriented Business will not display any Adult Sexually-Oriented Material or, activity Adult Sexually-Oriented Merchandise which would be visible from any location other than from within the structure in which the Adult Sexually-Oriented Business is located.
- \_\_\_\_\_ 11. The Adult Sexually-Oriented Business will not be accessible to any person under the age of 18 if no liquor is served, or 21 if liquor is served.
- \_\_\_\_\_ 12. The Adult Sexually-Oriented Business shall not operate between the hours of 1:00 a.m. and 4:00 p.m.
- \_\_\_\_\_ 13. Neither the applicant, if an individual, nor any of the officers or general partners, if a corporation, limited liability company or partnership, of the Adult Sexually-Oriented Business have been found guilty within the past seven (7) years of a misdemeanor or felony classified by the State as a sex offense or sex-related offense and have not violated any of the provisions of an Adult Sexually-Oriented Business Permit or similar permit or license in any city, county, territory, or state.
- \_\_\_\_\_ 14. The Adult Sexually-Oriented Business shall provide separate restroom facilities for male and female patrons. The restrooms shall be free from Adult Sexually-Oriented Materials and Adult Sexually-Oriented Merchandise.
- \_\_\_\_\_ 15. All Viewing Areas within the Adult Sexually-Oriented Business shall be visible from a continuous and accessible main aisle in a public portion of the establishment, and are not obscured by any door, curtain, wall, two way mirror or other device which would prohibit a person from seeing into the Viewing Area from the main aisle. A manager shall be stationed in the main aisle at a location from which the inside of all Viewing Areas are visible at all times in order to enforce all rules and regulations. "Viewing Area" shall mean any area in which a person views performances, pictures, movies, videos or other presentations.
- \_\_\_\_\_ 16. All areas of the Adult Sexually-Oriented Business shall be illuminated at a minimum of 1.25 foot-candle, minimally maintained and evenly distributed at ground level.
- \_\_\_\_\_ 17. The Individual Viewing Areas of the Adult Sexually-Oriented Business shall be operated and maintained with no holes or other openings or means of direct visual or physical access between the interior space of two or more Individual Viewing Areas. "Individual Viewing Area" shall mean a viewing area designed for occupancy by one person.

I have read and understand the requirements which must be met in order for the Director of Planning to approve and issue an Adult Sexually-Oriented Business Permit. Further, I acknowledge that if a permit is issued, the Officers of the City of Victorville, the County of San Bernardino, and each of their authorized representatives shall be permitted to conduct unscheduled inspections of the premises of the Adult Sexually-Oriented Business for the purpose of ensuring compliance with the law at any time the Adult Sexually-Oriented Business is open for business or occupied.

Finally, I acknowledge that, if approved, nothing in the Adult Sexually-Oriented Business Permit shall relieve the operator/owner of an Adult Sexually-Oriented Business from complying with the general requirements of the Victorville Municipal Code which is required of any other commercial business and/or development, as it may be amended from time to time, or any subsequently enacted City ordinances or regulations.

Signed: \_\_\_\_\_

Date: \_\_\_\_\_

**CITY OF VICTORVILLE, CALIFORNIA**  
**PLANNING DEPARTMENT**

**APPLICATION FOR ADULT SEXUALLY-ORIENTED BUSINESS PERMIT**  
**DIRECTOR OF PLANNING ACTION**

NAME OF PROPERTY OWNER \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

AGENT FOR THE OWNER \_\_\_\_\_ PHONE \_\_\_\_\_

ADDRESS \_\_\_\_\_

Total Fees Due: \$250.00 Total Fees Paid \_\_\_\_\_ Receipt No. \_\_\_\_\_

DATE FILED \_\_\_\_\_ APPLICATION RECEIVED BY \_\_\_\_\_

I/We the undersigned \_\_\_\_\_ owner, \_\_\_\_\_ lessee or \_\_\_\_\_ agent of the property described below, hereby apply for an Adult Sexually-Oriented Business Permit on property located at \_\_\_\_\_ (St., Ave., Rd.) between \_\_\_\_\_ (St., Ave., Rd.) and \_\_\_\_\_ (St., Ave., Rd.)

Assessors Parcel No. \_\_\_\_\_ Current Zoning \_\_\_\_\_

GRANT DEED (COPY) ATTACHED \_\_\_\_\_ YES \_\_\_\_\_ NO

AGENT'S LETTER \_\_\_\_\_ YES \_\_\_\_\_ NO \_\_\_\_\_ N/A

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The exact legal description of said property is [may be given as lot and tract, portions of sections (to include township and range) or by metes and bounds with a point of beginning that can be identified on the City Engineer's Maps.]:

1. Are you:           A Corporation? \_\_\_\_\_ Yes \_\_\_\_\_ No  
                          A Limited Liability Company? \_\_\_\_\_ Yes \_\_\_\_\_ No  
                          A Partnership? \_\_\_\_\_ Yes \_\_\_\_\_ No

If you responded "Yes" to any of the above, please list all officers' or general partners' names, street addresses and phone numbers below.

2. Describe in detail the Adult Sexually-Oriented Business, and how it will satisfy the findings/requirements listed in this application. (Attach additional sheets if necessary.)

I, We, \_\_\_\_\_ (please print) being first duly sworn, each for himself or herself, deposes and says that (I, we) (am, are) the owner(s) or agents for the owner(s) of the property involved in this application and that the foregoing statements and answers herein contained and the information herein submitted, are in all respects true and correct to the best of my knowledge and belief. Further, Neither the applicant, if an individual, nor any of the officers or general partners, if a corporation, limited liability company or partnership, of the Adult Sexually-Oriented Business have been found guilty within the past seven (7) years of a misdemeanor or felony classified by the State as a sex offense or sex-related offense and have not violated any of the provisions of an Adult Sexually-Oriented Business Permit or similar permit or license in any city, county, territory, or state. Finally, (I, we) fully understand that the City of Victorville may revoke an approved permit provided: (1) the approval was obtained by fraud; (2) the project is being or has been exercised contrary to the terms or conditions of such approval, or in violation of any other applicable statute, ordinance, law, or regulation; or (3) the operation of the business was so exercised as to be detrimental to the public safety, or so as to constitute a public nuisance.

ANY INCORRECT OR INCOMPLETE INFORMATION MAY CAUSE A DELAY IN PROCESSING.

Signature of Owner/Agent: \_\_\_\_\_

State of California  
County of San Bernardino  
City of Victorville

On \_\_\_\_\_ before me, \_\_\_\_\_, personally  
(Date) (Name and title of the officer)

Appeared \_\_\_\_\_, who proved to me on the basis of satisfactory evidence to  
(Name of person signing)

be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

\_\_\_\_\_  
Signature of officer

(Seal)

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### LETTER OF AUTHORIZATION IF APPLICANT OTHER THAN PROPERTY OWNER

I, \_\_\_\_\_, as owner(s) of property identified as Assessor's Parcel  
Property Owner(s)

Parcel No(s). \_\_\_\_\_ and/or Tract/Parcel Map \_\_\_\_\_,

Parcel/Lot No. \_\_\_\_\_ do hereby authorize \_\_\_\_\_ to represent me  
Authorized Agent

as agent in seeking approval of the following project(s): \_\_\_\_\_

Signed \_\_\_\_\_ Date: \_\_\_\_\_  
Property Owner(s)

Signed \_\_\_\_\_ Date: \_\_\_\_\_  
Authorized Agent(s)

NO APPLICATION FROM AN INDIVIDUAL OTHER THAN THE PROPERTY OWNER WILL BE ACCEPTED UNLESS THIS DOCUMENT IS COMPLETED, SIGNED AND SUBMITTED AS PART OF THE PROJECT APPLICATION.

IF ANY OF THE ABOVE INFORMATION IS INCORRECT, SAID APPLICATION WILL NOT BE CONSIDERED COMPLETE AND WILL NOT BE PROCESSED BY THE PLANNING DEPARTMENT.