





**Planning, Zoning & Economic Development
Memorandum**

DATE: July 6, 2021
TO: Planning and Zoning Board
THRU: Dan Holmes, AICP, Director 
FROM: Gayle Easterling, AICP, Senior Planner 
SUBJECT: Zoning Code Amendment to Amusement arcades and Amusement enterprises (indoor)

BACKGROUND

The code defines amusement arcades as a portion of an interior premise, incidental and accessory to the primary commercial use of the interior premise, consisting of 3 or more amusement devices. The code also defines amusement enterprise as an amusement arcade that is the sole or primary use of an interior premise. Regulations applicable to amusement arcades and enterprises were last updated in 2009 and currently requires amusement arcades having 10 or more machines and amusement enterprises to obtain conditional use approval. In addition to conditional use approval, review and annual renewal of an amusement certificate is required for both uses.

ANALYSIS

The proposed code amendment eliminates the need for an amusement certificate with annual renewal while maintaining the remainder of the existing regulations which:

- allows amusement arcades having up to 10 amusement devices as a permitted use in the B-3P, B-4P, B-6P, B-HC, B-FCC, B-AC, and M-PM zoning districts;
- requires conditional use approval for amusement arcades having over 10 amusement devices in B-3P, B-4P, B-6P, B-HC, B-FCC, B-AC, and M-PM zoning districts;
- requires conditional use approval for amusement enterprises in the M-PM zoning district; and
- allows revocation of the conditional use approval and business tax receipt if the amusement arcade or amusement enterprise creates law enforcement problems or constitute a public nuisance (which requires at least 3 separate incident reports or complaints of unlawful assemblies, disturbances, or nuisances to be filed with the Police Department during any fiscal year).

REQUEST

Staff requests Planning and Zoning Board review and recommendation concerning the proposed Ordinance.