

**PLEASANTON ZONING ORDINANCE ARTICLE 36: DISTRICT RA-2
RESIDENTIAL - AGRICULTURAL AND COMMERCIAL BY SPECIAL USE PERMIT
[Annotation: Zoning District Classification: 3465]**

3601.-PURPOSE:

It is the intent of this district to allow, by special use permit, commercial area (s) in Pleasanton Township along certified county roads and State or Federal highways which will promote the well being of the residents and encourage the growth.

3602. - USE REGULATIONS:

Permitted uses by permit authorized pursuant to Section 8401 et. seq. of this Ordinance. And any use permitted in any other Zoning District:

- A. Dwellings and Duplexes
- B. Home occupations (see section 503 of this Ordinance)
- C. State licensed residential facilities (see section 503 of this Ordinance)
- D. Apartment Buildings
- E. Parks
- F. Agricultural establishments [01 and 02]
- G. Forestry [08]
- H. Construction establishments [C: 15-17]
- I. Logging [241]
- J. Accessory buildings, structures and uses to the above
- K. Bed and Breakfast

3603. - SPECIAL USES:

Special uses by permit authorized pursuant to Section 8601 et. seq. of this Ordinance.

- A. Mobile Home Parks
- B. Sand, gravel and mineral extraction [14]
- C. Furniture and fixtures manufacturing [25]
- D. Miscellaneous converted paper products manufacturing [267]
- E. Oil and Gas processing or sweetening facilities
- F. Local and interurban passenger transit [41]
- G. Trucking and warehousing [42]
- H. Transportation services [47]
- I. Communication facilities [48]
- J. Electrical, gas and sanitary services [49]
- K. Wholesale trade establishments [F: 50-51]
- L. Retail establishments [G: 52-59]
- M. Drinking places [5812]
- N. Liquor stores [592]
- O. Golf Courses
- P. Planned Unit Developments
- Q. Service establishments [H: 70-89] except;
 - 1. Campgrounds, trailer parks [703]
 - 2. Automotive repair shops [7538]
 - 3. Producers, Orchestras, Entertainers [792] which take place outside a building.

- R. Fire protection [9224]
- S. Campgrounds, trailer parks [703]
- T. Signs
- U. Accessory buildings, structures and uses to the above
- V. The following uses are regulated uses for which a special use permit is required.
 - 1. Adult book and/or video store
 - 2. Adult motion picture theater
 - 3. Adult mini-motion picture theater
 - 4. Adult paraphernalia/novelty store
 - 5. Massage parlor
 - 6. Host or hostess establishments
 - 7. Open dance hall
 - 8. Adult live entertainment establishments regardless of whether alcoholic beverages may or may not be served.
 - 9. Adult panoramas
 - 10. Any combination of the foregoing.

3604.-MINIMUMS:

- A. Minimum parcel area - 2 acres
- B. Minimum parcel width throughout - 200 feet
- C. Minimum highway frontage - 200 feet
- D. Minimum setbacks, including all accessory buildings;
 - 1. Front - 83 feet. Measured from centerline of road, as determined by the Manistee County Road Commission or Zoning Administrator.
 - 2. Rear-20 feet
 - 3. Side-20 feet
 - 4. Minimum setback from the water's edge of any lake, stream, creek, river or wetland area - 300 feet
 - 5. Minimum Floor area - 840 square feet.

3605. - ADDITIONAL SPECIAL USE CRITERIA:

- A. No storage of any goods, supplies, merchandise or returnable containers shall occur outside the confines of a building or structure, unless there shall be provided an enclosure, by solid fence or its equivalent, not less than six (6) feet in height and complying with the setback minimums stated in Section 3604 D of this Ordinance around such yard storage area. Fences shall be constructed and maintained of materials consisting of solid wood, lumber or chain link fence with metal strip. Information concerning yard storage and fence material shall be included in the site plan required by Section 8402 B-1 of this Ordinance.
- B. Manufacturing establishments applying for special use permits shall be strictly limited to the fabrication and assembling of component parts and materials. Manufacturing operation entailing the production of metals, chemicals, or plastics from raw materials shall not be permitted.
- C. Sexually oriented businesses.

1. It is recognized that sexually oriented businesses have a deleterious effect upon adjacent areas, causing blight, an increase in crime, a decrease in property values, and chilling effect upon other businesses and residents, and a downgrading of the quality of life in adjacent areas, especially when such uses are concentrated in the same general area. It is considered necessary and in the best interest of the orderly and better development of the community to prohibit the overcrowding of such uses into a particular location and require their dispersal through the commercial and industrial zones of the Township to thereby minimize their adverse impact to the best extent possible on any other permitted use.
2. In order to obtain and retain a special use permit for operation of a regulated use as defined by this Ordinance, the following conditions must be met, in addition to all other standards set forth herein for special use permits:
 - a. A special use permit must be acquired through the special use procedures as described in this section.
 - b. In order to prevent the undesirable concentration of sexually oriented businesses, the regulated uses as defined by this section shall not be located within 500 feet of two (2) other such regulated uses as defined by this section, nor within 500 feet of any residentially zoned district, school, daycare center, church or other religious institution, or public park or other public facility, as measured along a line forming the shortest distance between any portion of the respective property lines.
 - c. The regulated uses, as defined by this section, shall only operate between the hours of 8:00 am and 10:00 pm.
 - d. There shall be a manager on the premises at all times.
 - e. The onsite manager of the regulated use shall allow no one under the age of 18 onto the premises.
 - f. If a transfer of ownership or control occurs the existing special use permit will be considered VOID. A new permit shall be applied for in advance of the proposed transfer.
 - g. No product or service for sale or gift, or any picture or other representation thereof, which relates in anyway to "specified sexual activities" or "specified anatomical areas", shall be displayed so as to be visible from the street or exterior of the building on the regulated use.
 - h. Once a special use permit has been issued, the regulated use shall not be expanded in any manner without first applying for and receiving approval of the Planning Commission as provided in the Pleasanton Township Zoning Ordinance.
 - i. If a regulated use is discontinued, the use may not be reestablished without first applying for and receiving the approval of the Planning Commission as provided in the Pleasanton Township Zoning Ordinance.

- j. The designated parking area for the sexually oriented business shall be lighted from dusk till dawn.
 - k. A secure and well-lighted entrance, separate from that provided for patrons, will be provided for all employees, regardless of their job descriptions.
- 3. The Planning Commission may waive the foregoing spacing requirements if it finds all of the following conditions exist:
 - a. The proposed use will not be contrary to the public interest or injurious to nearby properties in the proposed location and the spirit and intent of the purpose of the spacing regulation will still be observed.
 - b. The proposed use will not enhance or promote a deleterious effect upon adjacent area through causing or encouraging blight, a chilling effect upon other businesses and residents or a disruption in neighborhood development.
 - c. The establishment of the proposed regulated use in the area will not be contrary to any program of neighborhood conservation.
 - d. Where all other applicable regulation within the Pleasanton Township Zoning Ordinance or other pertinent zoning ordinances will be observed.

All ordinances or parts of ordinances inconsistent or in conflict with this Ordinance are hereby repealed to the extent of the conflict or inconsistency.

This Ordinance shall be effective at 12:01 am on the day following its publication as required by law.