

**PLEASANTON ZONING ORDINANCE ARTICLE 99:  
SEXUALLY ORIENTED BUSINESSES (SOB)**

**9901. - PURPOSE:**

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, a 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.

**9902. - CONDITIONS:**

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 Article 36 of this ordinance;
- B. In order to prevent the undesirable concentration of sexually oriented businesses, the regulated uses as defined by this ordinance Article 5, shall not be located within 500 feet of two (2) other such regulated uses as defined by Article 5 of this ordinance, 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 line;
- C. The regulated uses, as defined by this section and Article 5, shall only operate between the hours of 8 am and 10 pm;
- D. There shall be a manager on the premises at all times;
- E. No one under the age of 18 shall be allowed onto the premises by the onsite manager of the regulated use;
- F. If a transfer of ownership or control occurs, the existing special use permit shall 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.

**9903. - EXCEPTIONS TO CONDITIONS:**

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 regulations will still be observed;
- B. The proposed use will not enhance or promote a deleterious effect upon adjacent areas 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 regulations within the Pleasanton Township Zoning Ordinance or other pertinent zoning ordinances will be observed.

All ordinances in conflict herewith are hereby repealed.