

**SECTION XI**

**AMENDMENT TO CHAPTER XVII – SPECIAL LAND USE REQUIREMENTS**

Chapter XVII of the Allegan Township Zoning Ordinance is amended to add the following

**Adult Entertainment Uses**

Sec 17.01 Some uses, because of their very nature, are recognized as having serious objectionable operational characteristics, particularly when several such uses are concentrated under certain circumstances thereby having a deleterious effect upon the adjacent areas. Special regulation of these uses is necessary to ensure that these adverse affects will not contribute to the blighting or downgrading of property values of the surrounding neighborhood.

Sec 17.02 It is the intent and purpose of Allegan Township to adopt reasonable regulations for adult entertainment uses in the Township, so as to minimize the adverse effects caused by this activity on the public health, safety, and welfare of persons and property within the Township. Further, the purpose of the locational requirements is to prevent crime, protect and preserve the quality of life in the Township's retail trade, maintain property values, protect and preserve the quality of life in the Township, preserve areas frequented by children from increased

criminal activity and increased blight or other neighborhood deterioration, and prevent the blighting, downgrading, and deterioration of residential neighborhoods in commercial districts.

Sec 17.03 The operation or expansion of any and all adult entertainment uses, whether conducted as a separate business activity or in conjunction with another use, may be permitted as a Special Land Use In the C Commercial District and only in conformance with the following restrictions:

1. No adult entertainment use shall be located within five hundred (500) feet of any other adult entertainment use nor within one thousand (1000) feet of any of the following uses:
  - a. All Class "C" establishments licensed by the Michigan Liquor Control Commission.
  - b. Pool or billiard halls.
  - c. Coin-operated amusement centers or video arcades.
  - d. Teenage discos or dance halls.
  - e. Ice or roller skating rinks.
  - f. Pawn shops.
  - g. Indoor or outdoor movie theaters.
  - h. Any public park, public playground, public library or public building.
  - i. Any church, place of worship, or other religious facility.
  - j. Any public or private school having a curriculum including kindergarten or any one or more of the grades one (1) through twelve (12).
  - k. Any restaurant that does not serve alcohol.
  - l. Any preschool or day nursery.
  - m. Any indoor or outdoor public, private, or commercial recreational facility.
  - n. A single-family dwelling used or designed for residential purposes.
  - o. Uses like or similar to the above.

Sec 17.04 Such distance shall be measured along the centerline of the street between two fixed points on the centerlines determined by projecting straight lines at right angles from the part of the above listed use nearest to the contemplated location of the structure containing the adult entertainment use and from the contemplated location of the structure containing the adult entertainment use nearest to a use listed above.

Sec 17.05 No adult entertainment use shall be located within one thousand (1000) feet of any area zoned residential (i.e., Rural Estates; R, Single-Family; RM, Multiple-Family, and MHP, Manufactured Home Park). Such required distances shall be measured by a straight line between a point on the boundary line of a zoned residential area nearest to the contemplated structure or contemplated

location of the structure containing the adult entertainment use to a point on the contemplated structure or contemplated location of the structure containing the adult entertainment use nearest to the boundary lines of a zoned residential area.

Sec 17.06 All adult entertainment uses shall be contained in a free-standing building. Enclosed malls, commercial strip stores, common wall structures, and multi-uses within the same structure do not constitute a freestanding building.

Sec 17.07 No adult use shall be conducted in any manner that permits the observation of any material depicting, describing, or relation to specified sexual activities, specified acts of violence or specified anatomical areas from any public way or from any property not regulated as an adult entertainment use. This provision shall apply to any display, decoration, sign, show window, or other opening.

## **SECTION XII**

### **EFFECTIVE DATE AND REPEAL OF CONFLICTING ORDINANCES**

This Ordinance will be effective eight days following publication after adoption pursuant to Michigan Public Act 110 of 2006. All Ordinances or parts of ordinances in conflict herewith are hereby repealed.

**ALLEGAN TOWNSHIP**  
Hollis Hough, Clerk  
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