

ARTICLE 38

ADULT ENTERTAINMENT FACILITIES

SECTION 3801 REQUIRED CONDITIONS

- A. No adult entertainment facility shall be established within five hundred (500) feet of any area zoned for residential use.
- B. (1,000) feet of any school, library, or teaching facility, whether public or private, governmental or commercial, which school, library, or teaching facility is attended by persons under eighteen (18) years of age.
- C. No adult entertainment facility shall be established within a radius of one thousand (1,000) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
- D. No adult entertainment facility shall be established within a radius of one thousand (1,000) feet of any other adult entertainment facility or within a radius of two thousand (2,000) feet of any two (2) of the following establishments:
 - 1. Cabarets, clubs, or other establishments, which feature topless or bottomless dancers, go-go dancers, exotic dancers, strippers, male or female impersonators, or similar entertainers.
 - 2. Establishments for the sale of beer or intoxicating liquor for consumption on the premises.
 - 3. Pawn shops.
 - 4. Pool or billiard halls.
 - 5. Pinball palaces, halls, or arcades.
 - 6. Dance halls or discotheques.
- E. No adult entertainment facility shall be established within a radius of one thousand (1,000) feet of any church, synagogue, or permanently established place of religious services which is attended by persons under eighteen (18) years of age.
- F. Divisions (A) through (E) above, may be waived by the Board of Zoning Appeals provided that the applicant provides affidavits of fifty-one (51) percent of the property owners and resident freeholders within the above described radius giving their consent to the establishment of an adult entertainment facility and if the Board determines:

injurious
will be

1. That the proposed use will not be contrary to the public interest or to nearby properties, and that the spirit and intent of this Section observed.
2. That the proposed use will not enlarge or encourage the development of skid row or similar depressed area.
3. That the establishment of an additional regulated use in the area will not be contrary to any program of neighborhood conservation nor will it interfere with any program of urban renewal, residential or commercial reinvestment, or renovation of a historical area.
4. That all applicable regulations of this Section will be observed.