

ORDINANCE # 2009-29

**AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE SECTION
7.01.D.35 "Agricultural District – Special Uses Permitted" and Section 3.02 "Definitions"**

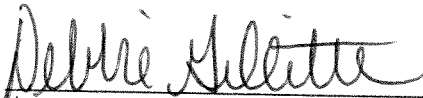
WHEREAS, Kendall County regulates development under authority of its Zoning Ordinance and related ordinances; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

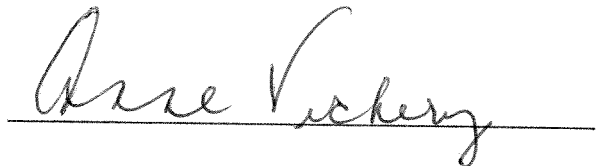
WHEREAS, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals on July 28, 2009.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Sections 7.01.D.35 "Agricultural District – Permitted Special Uses" and Section 3.02 "Definitions" of the Kendall County Zoning Ordinance as provided in attached Exhibit "A".

IN WITNESS OF, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on August 18, 2009.



Attest:



Debbie Gillette
Kendall County Clerk

Anne Vickery
Kendall County Board Chairman

EXHIBIT "A"

SECTION 3.00 RULES AND DEFINITIONS

3.02 DEFINITIONS

PAINTBALL FACILITY. The location where a game in which players on one team seek to eliminate those on an opposing team by marking them with a water-soluble dye shot in capsules from air guns.

SECTION 7.00 AGRICULTURAL DISTRICTS

D. SPECIAL USES PERMITTED

35. Paintball Facilities subject to the following conditions:

- a. Minimum lot size of 20 acres;
- b. The facility shall have direct access to a road designated as a major collector (or higher) in County Land Resource Management Plan unless the Township Board of Supervisors finds that the type and amount of traffic generated by the facility is such that it will not cause an undue impact on the neighbors or adversely affect safety of road;
- c. Hours and days of operation as specified in Special Use Permit to be determined by the County Board
- d. All safe and spectator areas must be protected by special paintball netting, and participants and spectators must wear approved paintball goggles; and
- e. No paintball activity shall leave the boundaries of the site, including fired paintballs.
- f. Requirement of netting to be installed around the property shall be determined by the County Board
- g. Paintball guns shall only be powered by carbon dioxide (CO2), high pressured air (HPA) or Nitrogen (N2).
- h. All signage shall comply with the provisions of Section 12 of the Kendal County Zoning Ordinance.
- i. Ammo for such paintball guns shall only include paintball pellets made of non-toxic, biodegradable water soluble substances.
- j. All applicable State and County rules and regulations pertaining to wastewater treatment and disposal, potable water supply, and food service shall be adhered to.