

ORDINANCE # 2012-25

**AMENDMENT TO THE KENDALL COUNTY ZONING ORDINANCE
TO ALLOW PERFORMING ARTS CENTERS**

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 October 1, 2012.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends Section 3.02- "Definitions", Section 7.01.D "A-1 Agricultural- Special Uses", Section 9.04.C "B-3 Business District- Special Uses", Section 9.05.B "B-4 Commercial Recreation- Permitted Uses" & Section 10.01.C & 10.02.C "M-1 Limited Manufacturing District & M-2 Heavy Industrial District- Special Uses- Any use which may be allowed as a special use in the B-3 or B-4 Business Districts..." of the Kendall County Zoning Ordinance as provided:

Section 3.02:

PERFORMING ARTS CENTER. The performing arts are art forms in which artists use their body or voice to convey artistic expression. Examples of performing arts may include: music, dance, fitness training, theatre arts, technical arts, online lessons, a performing arts preschool, etc. Regulated Uses that are specified in Section 4.16 of the Zoning Ordinance are specifically excluded from this category.

Section 7.01.D, 9.04.C & 9.05.B

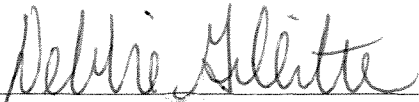
Performing arts center subject to the following conditions:

- a. The site shall have frontage on and access to a collector or arterial road, provided that the highway authority with jurisdiction over the subject road may approve alternative access.
- b. The site shall be shown as a commercial area on the Land Resource Management Plan.
- c. All signage shall comply with the provisions of Section 12 of the Kendall County Zoning Ordinance (Sign Regulations)
- d. The amount of students and type of events are listed in the approving ordinance.

- e. Shall satisfy all requirements of the Kendall County Health Department and Building Department prior to the issuance of occupancy permits.
- f. Must meet applicable Fire Protection District codes.

IN WITNESS OF, this Ordinance has been enacted by the Kendall County Board this 16th day of October, 2012.

Attest:



Kendall County Clerk
Debbie Gillette



Kendall County Board Chairman
John Purcell