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ORDINANCE # 200~~6~~-35

**AMENDMENT TO THE GENERAL PROVISIONS OF THE  
KENDALL COUNTY ZONING ORDINANCE SECTION 4.00 "GENERAL  
PROVISIONS"**

*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*, the County has proposed amendments to the "GENERAL PROVISIONS" section of the zoning ordinance in regard to the control of "REGUALTED USES as attached to this Ordinance as Exhibit "A"; and

*WHEREAS*, the Regional Planning Commission reviewed the proposed amendments on January 24, 2007, and recommended approval of them by a unanimous vote; and

*WHEREAS*, the Zoning Board of Appeals conducted a public hearing on the proposed changes on March 27, 2007, and subsequently voted unanimously in favor of the proposed amendments; and

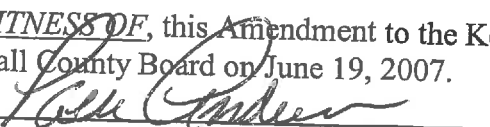
*WHEREAS*, all administrative procedures for amendments have been followed including a Public Hearing held before the Kendall County Zoning Board of Appeals.

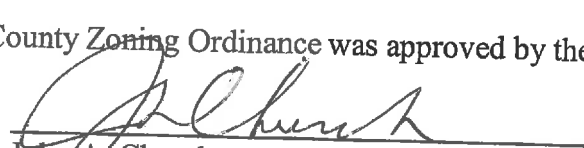
*WHEREAS*, the County Board feels that it is in the best interests of the County to amend the business zoning regulations to improve the quality of development within the unincorporated areas of the County.

*NOW, THEREFORE, BE IT ORDAINED*, the Kendall County Board hereby amends Sections 4.00 "GENERAL PROVISIONS" by re-numbering Section 4.17 "REGULATED USES" to Sub-Section 4.16 and revising the provisions in the manner as described herein and attached hereto as EXHIBIT A":

*IN WITNESS OF*, this Amendment to the Kendall County Zoning Ordinance was approved by the Kendall County Board on June 19, 2007.

Attest:

  
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John A. Church  
Kendall County Board Chairman

Paul Anderson  
Kendall County Clerk

## EXHIBIT "A"

### SECTION 4.0 General Provisions

#### 4.176 REGULATED USES. *(Amended 11/18/2003)*

A. The following uses are deemed to be regulated uses:

1. Adult Book Store.
2. Adult Motion Picture Theater.
3. Adult Mini-Motion Picture Theater.
4. Adult Entertainment Facilities.
5. Adult Use.
4. ~~Massage Schools~~
- 5-6. Adult Massage Parlors or Spas.
7. Tattoo Parlors and Permanent Body Art Establishments.
8. Striptease Club or Gentlemen's Club.
9. Adult Video Store.

For the purposes of determining when a regulated use is allowed as a permitted or special use under this Ordinance, no regulated use shall be considered to be a retail business, service businesses, recreational or social facility, school, accessory use, or general land use.

B. RESTRICTIONS ON LOCATION OF REGULATED USES. No regulated use, either as a permitted use or as a special use, shall be maintained;

1. Within 1,000 feet of the property line of another;
2. 500 feet of any of the following zoning districts or provided for under this ordinance: R-1, R-2, R-3, B-1, B-2, B-3, B-4; nor
3. Within 1,000 feet of a zoned area or district lying within a municipality and zoned for any kind of residential, business or commercial office, or office-research use under an ordinance of that municipality.

In addition to the preceding requirements, Adult Entertainment Facilities shall also comply with the separation requirements as established under 55 ILCS5/5-1097.5 from the property line of any school, day care facility, cemetery, public park, forest preserve, public housing and place of religious worship. These requirements shall supersede any less restrictive requirements set forth in this Ordinance.