

1 **ORDINANCE NO. 07-_____ PAINTBALL ORDINANCE**

2
3 **AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF**
4 **LEON COUNTY, FLORIDA, AMENDING SECTION 10-1111 OF**
5 **CHAPTER 10, ARTICLE X, DIVISION 8 OF THE CODE OF LAWS OF**
6 **LEON COUNTY, FLORIDA, ENTITLED SPECIFIC REQUIREMENTS**
7 **FOR RESTRICTED USES AND SPECIAL EXCEPTION USES;**
8 **AMENDING CHAPTER 10, ARTICLE X, DIVISION 8 OF THE CODE OF**
9 **LAWS OF LEON COUNTY, FLORIDA, BY AMENDING SECTION**
10 **10-1111(c) TO BE ENTITLED OUTDOOR PAINTBALL RANGES;**
11 **PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY;**
12 **AND PROVIDING AN EFFECTIVE DATE.**

13
14 **WHEREAS,** paintball ranges provide for outdoor recreational activities; and,

15 **WHEREAS,** outdoor paintball activities, if not properly regulated, may constitute a
16 nuisance to neighboring properties; and,

17 **WHEREAS,** outdoor paintball activities, if conducted on an improperly designed site,
18 may pose a threat to the health and safety of the residents of Leon County; and,

19 **WHEREAS,** presently, specific regulations addressing outdoor paintball ranges are not
20 provided; and,

21 **WHEREAS,** the Board finds it to be in the best interest of the health, safety, and welfare
22 of the residents of Leon County to provide reasonable regulations for such activities,

23
24 **BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF**
25 **LEON COUNTY, FLORIDA that:**

26
27 **Section 1.** Chapter 10, Article X, Division 8, Section 10-1111 of the Code of Laws of
28 Leon County, Florida, entitled "Specific requirements for restricted uses and special exception
29 uses," is hereby amended by adding a new Section 10-1111(c) to be entitled "Outdoor paintball
30 ranges," which section shall read as follows:

1 **Sec. 10-1111. Specific requirements for restricted uses and special exception uses.**

2 (c) Reserved Outdoor paintball ranges. All outdoor paintball ranges shall be
3 required to demonstrate compliance with the following standards, as determined through the
4 review and approval by the Board of County Commissioners following a duly noticed public
5 hearing; compliance shall be documented on a plan furnished by the applicant demonstrating the
6 following:

7 (1) Location. Outdoor paintball ranges shall be allowed only in the following locations: the
8 Rural (R); Urban Fringe (UF), Lake Talquin Recreation Urban Fringe (LTRUF), and Light
9 Industrial (M-1) zoning districts.

10 (2) Screening, setbacks, and separation from other uses. Outdoor paintball ranges shall be
11 allowed only upon demonstration of protection of adjacent properties, public rights-of-way,
12 and private streets, from nuisance impacts, including errant projectiles, noise, lighting, and
13 overflow parking, and unkempt site design.

14
15 All portions of the range shall be set back a minimum of 300 feet from the perimeter
16 property boundaries or 500 feet from the nearest off-site residence, residential zoning district,
17 or subdivision intended primarily for residential land use, whichever distance is greater. This
18 setback standard may be reduced by up to 50% if netting, walls, buffering, or other
19 containment method is to be incorporated.

20 (3) Access. Within the urban services area, outdoor paintball ranges may have access only
21 from streets other than local streets, with the exception that access may be allowed from
22 local streets designated "non-residential" streets in the Comprehensive Plan. Outside the
23 urban services area, access may allowed from any public street, or any private street under

1 the ownership or control of the proprietor, except that, in no instance, shall the sole route of
2 access be through a street located within the Residential Preservation (RP) zoning district.

3 (4) Additional considerations.

4 a. Buffering: Outdoor paintball ranges shall provide a minimum of Type D buffering when
5 adjacent to any residential or agricultural use; a minimum of Type C buffering shall be
6 required for all other adjacencies.

7 b. Minimum lot sizes: Three acres.

8 c. Lighting: No lighting shall shine directly from the site upon any other property.

9 d. Hours of operation. Outside of the urban services area, and adjacent to properties within
10 the residential zoning district, or subdivision intended primarily for residential land use
11 activities shall be limited only to daylight hours.

12 e. Parking. No less than eight parking spaces shall be provided; however, the plan shall
13 demonstrate the provision that sufficient parking will be provided so that no parking
14 associated with the property is located off-site. Except for handicapped parking spaces,
15 spaces may be gravel or other hard surface if approved by the Department of Public
16 Works.

17 f. Solid waste facilities. Solid waste containers shall be located with appropriate screening
18 and landscaping to facilitate aesthetic compatibility with adjacent properties.

19 g. Structures and activities: Structures shall be limited to a cumulative size of no greater
20 than 1000 square feet gross floor area; all accessory activities shall be conducted within
21 structures.

1 h. Posting. Signage warning the general public that the site is being used as an outdoor
2 paintball range shall be posted no less than every 150 linear feet along all property
3 perimeter boundaries. Warning signs shall not contain advertising.

4 i. Limitation on "Large competitions." Competitions on the site exceeding ten teams or
5 sixty (60) participants shall be considered "Large competitions." Any outdoor
6 paintball facility may have no more than two (2) Large competitions per year.

7 j. Adequate sanitary facilities. The applicant shall furnish documentation, from the Leon
8 County Public Health Department, that the applicant has ensured the provision of
9 adequate sanitary facilities to accommodate the proposed use.

10 k. Safety review. The applicant shall furnish documentation, from the City of Tallahassee
11 Fire Department and Leon County Emergency Medical Services, that the proposed use
12 complies with applicable fire and life safety code regulations.

13 (5) Environmental Review. The applicant shall furnish documentation of compliance with all
14 applicable environmental regulations and review standards, demonstrating that the proposed
15 site design will not adversely impact any preservation or conservation features, will properly
16 maintain and manage stormwater run-off, and minimize other adverse environmental impact,
17 including: approval of a Natural Features Inventory (NFI); receipt of applicable
18 environmental permits; and other documentation, as may be required the Leon County
19 Department of Growth and Environmental Management and Department of Public Works.
20 Completion and approval of environmental impact assessment shall not be required.

21

1 (6) Review Process. Application for outdoor paintball range special exception use shall
2 require Type C review. Final disposition may be either approval, approval with condition,
3 denial, or continuation to a date certain.

4 (7) Temporary use. In no instance shall an outdoor paintball range be authorized as a
5 temporary use, except as in compliance with this section.

6 (8) Hold harmless. The applicant and the owner of the property upon which the outdoor
7 paintball range will be located shall affirm, through affidavit submitted with the application,
8 that the County shall be held harmless for any liability associated with the use or activity.

9 (9) Grounds for revocation; misuse of paintball facilities. In no instance shall any person on
10 the premises shoot or attempt to shoot paintballs or any other projectiles at persons not
11 involved in competition, or any animal. Any approval issued pursuant to the provisions of
12 this section shall be revoked by the County Administrator or designee and the premises
13 closed immediately upon discovery that the proprietor is in violation of the approval.

14 (10) Enforcement. Failure to obtain approval prior to establishment of an outdoor paintball
15 range shall result in immediate cessation of the use and shall be a violation of this Code.
16 This provision shall be enforced as necessary, by appropriate staff.

17 **Section 3. Conflicts.** All ordinances or parts of ordinances in conflict with the
18 provisions of this ordinance are hereby repealed to the extent of such conflict, except to the
19 extent of any conflicts with the Tallahassee-Leon County 2010 Comprehensive Plan as amended,
20 which provisions shall prevail over any part of this ordinance which is inconsistent, either in
21 whole or in part, with the said Comprehensive Plan.

