



PLANNING AND ZONING COMMISSION

AGENDA REPORT

July 1, 2020

ITEM 5.II: An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Ranges

BACKGROUND:

Recently, staff had an inquiry concerning the requirements for opening a privately owned shooting range within the City of Warrensburg. A shooting range is not a current land use identified in Section 27-200 Table of Uses in the zoning ordinance. As such, a shooting range is not allowed in the City at this time. After reviewing other ordinances from other area communities, staff felt it was appropriate to propose an ordinance creating a Land Use category for shooting ranges and parking requirements for the new use. That ordinance is attached.

The ordinance addresses both firearm and archery type ranges and creates two new Land Use categories. Land Use 6.150 is for indoor ranges and 6.270 is for a shooting range with an outdoor element. Indoor ranges would be allowed by right in GB: General Business and LI: Light Industrial districts and as a Conditional Use Permit in the CB: Central Business District. Outdoor ranges would be allowed only by Conditional Use Permit in the GB: General Business and LI: Light Industrial districts. The proposed parking requirements are the same for both indoor and outdoor ranges.

The City recognizes there can be additional public safety and noise concerns related to shooting ranges. The operational standards to address these concerns are contained in a second ordinance. The second ordinance amends Chapter 22 to include operational standards in the business license requirements for shooting ranges. The Planning and Zoning Commission does not have authority over Chapter 22 so no action on this second ordinance is needed by the Commission. A copy of the proposed ordinance is attached for reference.

RECOMMENDATION:

Staff recommends approval of the attached ordinance amending Chapter 27.

Attachments:

1. Findings & Recommendations
2. Ordinance
3. Portion of existing section 27-200
4. Proposed draft licensing ordinance

**PLANNING AND ZONING COMMISSION
FINDINGS AND RECOMMENDATION**

Request to consider An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Ranges

The Planning and Zoning Commission has considered the ordinance at an open public meeting and makes the following findings and recommendations based upon the evidence presented with respect to these matters:

1. On July 6, 2020, the Planning & Zoning Commission considered An Ordinance Amending Chapter 27 of the Code of City Ordinances of the City of Warrensburg, Missouri, Regarding Shooting Ranges.
2. The proposed ordinance _____ will _____ will not further the goals and objectives of the City's Comprehensive Plan.
3. The proposed ordinance _____ will _____ will not contribute to and promote the welfare and convenience of the public if the ordinance is passed.
4. The proposed ordinance _____ will _____ will not cause substantial injury to the value of property in the community.
5. Additional Comments: _____

Concerning the proposed ordinance, the Planning and Zoning Commission:

___ Recommends Approval

___ Disapproves _____

Passed by the Planning & Zoning Commission this _____ day of July, 2020.

Chair

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF CITY ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI, REGARDING SHOOTING RANGES

WHEREAS, the City Council of the City of Warrensburg held a public hearing on July 13, 2020, regarding establishing a definition, land use, location and parking requirements for shooting ranges:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WARRENSBURG AS FOLLOWS:

Section 1. That Section 27-6, Definitions, is amended to include new definitions as follows:

Shooting or archery range. A facility designed or used for the discharge of firearms or projectile weapons at targets.

Section 2. That Section 27-200, Table of Permissible Uses, is amended as follows:

ZONING DISTRICTS

R1 R2 R3 R4 RMH BO NB CB GB LI HI

6.000 RECREATION, AMUSEMENT, ENTERTAINMENT

6.150	Shooting or archery range where all discharge of firearms or projectile weapons occurs entirely within a fully enclosed building									C	Z	Z	
6.270	Shooting or archery range where all discharge of firearms or projectile weapons occurs partially or entirely outside of a fully enclosed building										C	C	

Section 3. That Section 27-406, Table of parking requirements, is amended as follows:

<i>Land Use</i>	<i>Off-Street Parking Requirement</i>
6.150	2 spaces per shooting station plus parking for each of the following activities: 1 space per 200 square feet of retail, office, or classroom space 1 space per 5,000 square feet of storage space 1 space per three seats (indoor or outdoor seats) provided in any bar, restaurant or dining area.
6.270	

Section 4. If any clause, section, or other part of this ordinance shall be held invalid or unconstitutional by any court of competent jurisdiction, the remainder of this

ordinance shall not be affected thereby but shall remain in full force and effect.

Section 5. It is intended that Sections 1 through 3 of this ordinance be incorporated into the Code of Ordinances of the City of Warrensburg.

Section 6. That this ordinance shall become effective immediately upon its passage.

Read two (2) times and passed by title this ____ day of _____, 2020.

Bryan Jacobs, Mayor

ATTEST:

City Clerk

DESCRIPTION OF USES	ZONING DISTRICTS											
	R1	R2	R3	R4	RMH	BO	NB	CB	GB	LI	HI	
5.200 Churches, synagogues, and temples (including associated residential structures for religious personnel and associated buildings, but not including elementary school or secondary school buildings	Z	Z	Z	Z	Z	Z	Z	Z	Z	Z		
5.300 Libraries, museums, art galleries, art centers, and similar uses (including associated education and instructional activities)												
5.310 Located in building designed as a residence, or in building under 3,500 square feet	Z	Z	Z	Z	Z	Z	Z	Z	Z			
5.320 Located in any permissible structure						Z	Z	Z	Z			
5.400 Social, fraternal clubs and lodges, union halls, similar uses							Z	Z	Z			
5.500 Day care centers, preschools						Z	Z	Z	Z	Z		
5.510 Day care, limited			C	C								
5.600 Philanthropic or charitable institution			C	C		Z	Z	Z	Z			
5.700 Convention Center								C	Z			
6.000 RECREATION, AMUSEMENT, ENTERTAINMENT												
6.100 Activity conducted entirely within building or substantial structure												
6.110 Bowling alleys, skating rinks, indoor tennis and racquetball courts, billiard and pool halls, indoor athletic and exercise facilities and similar uses							Z	Z	Z	Z		
6.120 Movie theaters							Z	Z	Z	Z		
6.130 Coliseums, stadiums and all other facilities listed in the 6.100 classification designed to seat or accommodate simultaneously more than 1,000 people									C	C		
6.140 Community center	C	C	C	C	C	C	C	C	C	C		
6.200 Activity conducted primarily outside enclosed buildings or structures												
6.210 Privately owned outdoor recreational facility such as golf and country clubs, swimming or tennis clubs, etc.	C	C	C	C	C	C	C	C	C	C		
6.220 Publicly-owned and operated outdoor recreational facilities such as athletic fields, golf courses, tennis courts, swimming pools, parks, etc.	C	C	C	C	C	C	C	C	C			
6.230 Golf driving ranges not accessory to golf courses, miniature golf courses, skateboard parks, go-cart tracks, water slides, and similar uses									Z	Z		
6.250 Automobile and motorcycle racing tracks										C	C	
6.260 Drive-in movie theaters									C	C	C	
7.000 INSTITUTIONAL RESIDENCE OR CARE OR CONFINEMENT FACILITIES												
7.100 Hospitals; clinics and other medical (including mental health) treatment facilities in excess of 10,000 square feet of floor area				C	C	Z		Z	Z			

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE ENACTING SECTION 22-80, ADDITIONAL REQUIREMENTS, SHOOTING AND ARCHERY RANGES OF THE CODE OF ORDINANCES OF THE CITY OF WARRENSBURG, MISSOURI.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WARRENSBURG, MISSOURI AS FOLLOWS:

Section 1. That Section 22-80 is hereby adopted to read as follows:

22-80 Additional Requirements, Shooting Ranges

Any person who submits an application for issuance or renewal of a business license in accordance with this section, and meets all of the performance standards as set out herein shall be authorized to operate a Shooting or Archery Range upon issuance of a business license as called for in this chapter.

a) Definitions.

BALLISTIC SECURITY

This term shall mean such measures, devices, materials or construction methods that will ensure that ANY bullet or projectile fired in the business will not, under normal circumstances be able to leave the interior portion of the range or building.

SHOOTING OR ARCHERY RANGE

Any facility that is constructed either inside a structure, or adjacent to a structure in a manner that meets the minimum health and safety standards of this Section, and is constructed or laid out in such a manner that all aspects of the health, welfare and safety of the general public is protected.

b) Business License requirements:

In addition to the requirements for a business license contained in this chapter, any applicant seeking a business license for a Shooting or Archery Range must operate only at a facility that includes a structure that houses the range, or that is open to actively manage the activities taking place at the range when open, and must also submit the following additional information:

1. All such ranges shall provide engineering certifications to the City that verify the ballistic security of the shooting area.
2. All such ranges shall provide engineering certifications that verify that noise attenuation measures, devices, materials or construction methods that will ensure that the noise generated by the discharge of weapons inside the facility are

reduced to a level that will not allow sound to penetrate enclosed areas of adjacent property.

3. All such ranges shall provide engineering certifications that verify that the air quality inside the building and that all air discharged from any HVAC system servicing the building meet all applicable air quality standards of any federal or state organization or entity that regulates air quality and air pollution.
4. All such ranges shall provide a lead management plan and procedures that meet not only OSHA standards for use inside the building, but also all hazardous material disposal regulations of the federal and state agencies charged with regulating those materials.
5. Approval from the Community Development Director that the proposed location of the range complies with all requirements of Chapter 27.
6. Certification by the Applicant that the facility complies with provisions of the adopted fire code.

c) The applicant shall permit inspection of the licensed facility prior to issuance of the license to verify compliance with the requirements of this Section.

Section 2. The provisions of Section One of this Ordinance shall be incorporated into the Code of Ordinances.

Section 3. This ordinance shall take effect and be in full force from and after its passage according to law.

Read two times and passed this _____ day of _____, 2020.

Bryan Jacobs, Mayor

Attest:

Cindy Gabel, City Clerk