

Exhibit A

Amendment to 7.01.D.32 (Special Uses in A-1)

Outdoor Commercial Sporting Activities including but not limited to swimming facilities and motocross sports. Appropriate regulations for lighting noise and hours of operation shall be included in the conditions. Outdoor commercial sporting activities shall exclude outdoor target practice **(such exclusion extends to shooting ranges not located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks)**, athletic fields with lights, paintball facilities and riding stables; including but not limited to polo clubs, and similar uses.

Plan Commission would like to see Forest Preserve Reference Removed.

Amendment to 7.01.D.33 (Special Uses in A-1) and 10.03.B.4 (Special Uses in M-3)

Outdoor Target Practice or Shooting **(but not including private shooting in your own yard or shooting ranges located on property owned by the Kendall County Forest Preserve District or the State of Illinois used for State parks)** with the following conditions:

Planning Commission would like to see Forest Preserve Reference Removed.

- a. **Range layout** ~~R~~requires conformity with **National Rifle Association** standards with regard to layout and dimensions. ~~;~~ ~~provide appropriate berming based on surrounding land use and type(s) of firearms to be used. Such as berming shall generally be consistent with standards established in the NRA Source Book.~~ The petitioner shall submit a site capacity **with** a calculation and a detailed site plan showing the layout and design of the proposed shooting range, including all required setbacks and landscaping and the existing and proposed structures, their floor areas and impervious surfaces. The scale of the site plan shall be no greater than one inch equals one hundred feet (1"=100').

The NRA recommends an engineer or land surveyor prepare documents related to site design. A requirement that the site plan be prepared by a licensed engineer or land surveyor may be appropriate.

- b. **Ranges designed for the use of handguns and rifles shall provide berms at least twenty feet (20') high and six feet (6') thick at the top, made of soft earth or other material that is unlikely to cause ricochets, and containing no large rocks. Berms shall be located as follows:**
1. **Shotgun ranges – No berming required.**
 2. **Ranges for handguns and rifles with the same or less power than .22 long rifle**
 - a. **Backstop at least one hundred fifty feet (150') from the firing line.**
 - b. **Lateral not closer than thirty feet (30') from the firing line.**
 3. **Ranges for rifles with more power than a .22 long rifle**

- a. Backstop at least three hundred feet (300') from the firing line.
- b. Lateral not closer than thirty feet (30') from the firing line.
- 4. All required berms shall be constructed prior to the commencement of operations and shall be maintained for the duration of the special use permit.
- 5. In addition to berms, appropriate baffling shall be installed over the targets to prevent projectiles from overshooting the berm for hand gun and rifle ranges.

Unfortunately, the NRA does not provide specifics in most cases regarding berm height (they recommend 8' side berms for outdoor smallbore rifles and baffles be 4' in height). See comments at end regarding plans.

- c. Ranges shall be located on a site where an uninhabited downrange safety area is available. The required length of the safety area shall be as follows:
 - 1. Shotgun ranges – one thousand five hundred feet (1500'), provided that shot size is limited to #4 or smaller.
 - 2. Ranges for handguns and rifles not more powerful than .22 long rifle – seven thousand feet (7,000').
 - 3. Ranges for rifles more or equal power than a .22 long rifle – thirteen thousand five hundred feet (13,500').
 - 4. The downrange safety area requirement for handgun, and rifle ~~and archery ranges~~ may be waived by the County Board if the firing line is provided with overhead baffling meeting the standards of the National Rifle Association.
 - 5. The safety area shall conform to National Rifle Association standards for the shape and width. The safety area shall have signs posted at intervals stated in the special use permit warning of the potential danger from stray bullets.
 - 6. For the purposes of this regulation, the term “downrange safety area” shall mean the area away from the launching site towards the target. In cases of shooting ranges where targets are not stationary, appropriate baffling shall be provided.

Unfortunately, the NRA does not provide specifics regarding downrange safety area. See comments at end regarding plans.

- d. Requires minimum parcel size of **5 forty (40) acres for firearms**. This is discretionary and the County's decision. 10 acres appears to be the minimum threshold of ranges in the Source Book, but that is advisory.
- e. The range, including the safety area, must be under the control of the operator of the range, by ownership or lease. Given that projectiles cannot leave the site (item P), I do not see a problem with this requirement.

- f. **The petitioner shall submit a detailed written narrative describing the proposed use. This narrative shall, at minimum, describe the type of range (i.e. public, private, or government), the type(s) of firearms and targets expected to be used and the proposed days and hours of operation.**

The NRA recommends detailed plans. See comments at end.

- g. Must have a sign that lists allowed firearm types, rules of operation; hearing and vision protection required.
- h. **At least one (1) State recognized, nationally recognized or National Rifle Association Certified range supervisor must be present at all times when firing is taking place. The supervisor shall be certified for the type of shooting being supervised and shall know and enforce all range rules. I do not see a problem with this requirement.**

- i. **At least one (1) Range flag flown, a sign or red light lit at all times that firing is taking place. If a range flag is used, the flagpole shall be at least eighteen feet (18') high and the flag shall be bright red forty inches (40") long and twenty inches (20") inches wide at the pole and six inches (6") wide at the free end.**

The NRA recommends flags 20'-50' in height. Flags can be as long as 18' and 3' feet wide at mast.

- j. Hours and days of operation ~~as specified in the Special Use Permit to be determined by the County Board~~ shall be as follows: **No range shall open prior to 9:00 am any day of the week. No range shall remain open after 5:00 6:00 pm Mondays through Fridays, 3:00 5:00 pm on Saturdays and ranges shall be closed 3:00 pm on Sundays. This is discretionary and the County's decision.**

- k. Access must be controlled by a lockable gate. **The range proper shall be fenced in a manner so to prohibit entrance on the property by members of the public and shall have signed posted at one hundred foot (100') intervals warning members of the public of the danger. This requirement complies with NRA standards.**

- l. Hazardous waste plan addressing lead management required **at the time of application for a special use permit. Any changes to the hazardous waste plan addressing lead management shall be promptly forwarded to the Kendall County Planning, Building and Zoning Department. See comments at end regarding plans.**

- m. No discharge of lead shot into wetland.
Not needed because of item T.

- n. Must be at least **one thousand five hundred feet (1,500')** from the **firing line** to the ~~existing dwellings and~~ property lines of ~~schools, daycares, places of worship and airstrips~~ adjoining properties. **The required distance is both parallel and perpendicular to the firing line.**
Historically, the County has required gun ranges/gun clubs to be 1,000' from neighboring homes not owned by the gun range or gun club.
- o. No alcohol allowed.
- p. No projectiles shall leave the boundaries of the site.
- q. **The range shall provide restroom facilities to employees and patrons.**
Plan Commission believes this regulation is redundant because of the requirement to follow Kendall County Health Department regulations (item U).
- r. **Everyone on the firing line is required to wear hearing protection and safety glasses.**
See comments at end regarding plans. This requirement is included in the safety plan.
- s. **The outdoor target practice or shooting range allowed by this special use permit shall provide the Kendall County Planning, Building and Zoning Department proof of accident and liability insurance prior to the commencement of operations; sufficient accident and liability insurance in the amount of Ten Million Dollars (\$10,000,000) for outdoor target practice or shooting ranges must be maintained during the duration of the special use permit.**
The NRA suggests that the owner of the gun range have sufficient insurance, but does not provide a specific amount.
- t. All applicable Federal, State and County rules and regulations shall be adhered to.
- u. Must meet all requirements of the Kendall County Health Department.
Not needed because of item T.
- v. Water and drainage plans must be approved by the Kendall County Planning, Building and Zoning Office.
- w. Signage is permitted but must meet the Sign Ordinance regulations of Section 12 of the Zoning Ordinance.
Not needed because of item T.
- x. Lighting shall meet the standards of Section 11.02.F.12.d of the Zoning

Ordinance. (Where non-residential sites are adjacent to residential sites (existing or future residential areas as shown on the officially adopted version of the Land Resource Management Plan (LRMP)), the light level at the property line produced by the non-residential lighting shall not exceed 0.2 foot-candles. The lighting shall be designed to avoid casting direct light or glare onto the adjacent residential property. Acceptable means to prevent glare or direct light onto the residential property include pole/luminary-mounted shields and dense vegetation. On abutting nonresidential properties (existing or future nonresidential as shown on the officially adopted version of on the Land Resource Management Plan (LRMP)), or public streets the maximum illumination at the property line shall be five (5.0) foot-candles. Where residential is across a street, the maximum illumination at the use's boundary shall be two (2.0) foot-candles.

Higher maintained foot-candle levels may be appropriate for certain uses such as illuminated ball fields, auto dealerships, or gas stations. In such instances, information will be reviewed during Site Plan review. The Zoning Administrator may approve higher light levels for specific uses during the review process without the need for a variation. The Zoning Administrator may refer such instances to the Planning, Building, and Zoning Committee of the County Board. Such decisions made by the Zoning Administrator may be appealed to the Planning, Building, and Zoning Committee of the County Board. (Amended 7/19/2011))

Not needed because of item T.

- y. Must adhere to the Performance standards of Section 10.01.F of the Zoning Ordinance (Not more than sixty percent (60%) of the area of the lot may be covered by buildings or structures, including accessory buildings).
- z. Ranges must have direct access to a public road. For the purposes of this restriction “direct access” shall mean frontage; “direct access” shall not mean access via easement across property not owned by the range owner. Plan Commission would like “license” added and included with easement.**
- aa. Noise generated by the business allowed by this special use shall comply with the following:**
 - 1. Day Hours: No person shall cause or allow the emission of sound during daytime hours (7:00 A.M. to 10:00 P.M.) from any noise source to any receiving residential land which exceeds sixty-five (65) dBA when measured at any point within such receiving residential land provided; however, that point of measurement shall be on the residential property line of the complainant.**
 - 2. Night Hours: No person shall cause or allow the emission of sound during nighttime hours (10:00 P.M. to 7:00 A.M.) from any noise source to any receiving residential land which exceeds fifty-five (55) dBA when measured at any point within such receiving residential**

land provided; however, that point of measurement shall be on the residential property line of the complainant.

3. **EXEMPTION: Powered Equipment: Powered equipment, such as lawn mowers, small lawn and garden tools, riding tractors, and snow removal equipment which is necessary for the maintenance of property is exempted from the noise regulations between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M.**

The NRA favors 65 dBA; 75-80 dBA is consider “discretionary”

- bb. **Outdoor target practice and shooting ranges in existence prior to the date of the adoption of this ordinance shall follow the restrictions on their respective special use permits.**

General Comments:

The NRA Source Book specifically states that the NRA is not liable for any damages and that the Source Book is not a substitute for following local regulations.

The NRA Source Book heavily stresses the need for proper site planning. In particular, they recommend a safety plan, business plan, public relations plan, maintenance plan, noise plan, environmental stewardship plan (i.e. lead management plan) and a closure plan. Applicants should be required to submit these plans at the time of application. The specific components of each plan are defined in the Source Book.

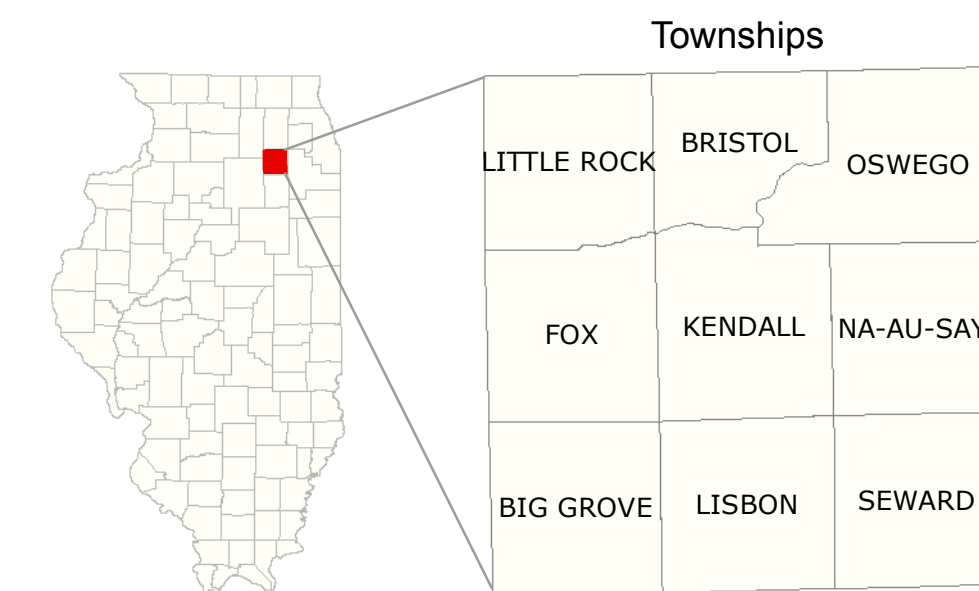
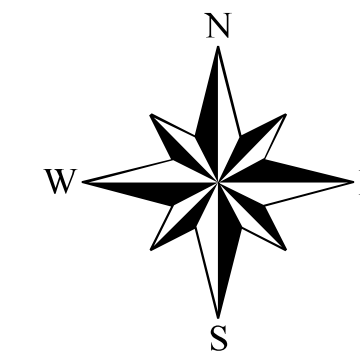
The NRA Source Book is concerned about neighbors living within a ½ mile of the range because of noise.

Outdoor Shooting Ranges

KENDALL COUNTY

- 2017 -

<http://www.co.kendall.il.us>



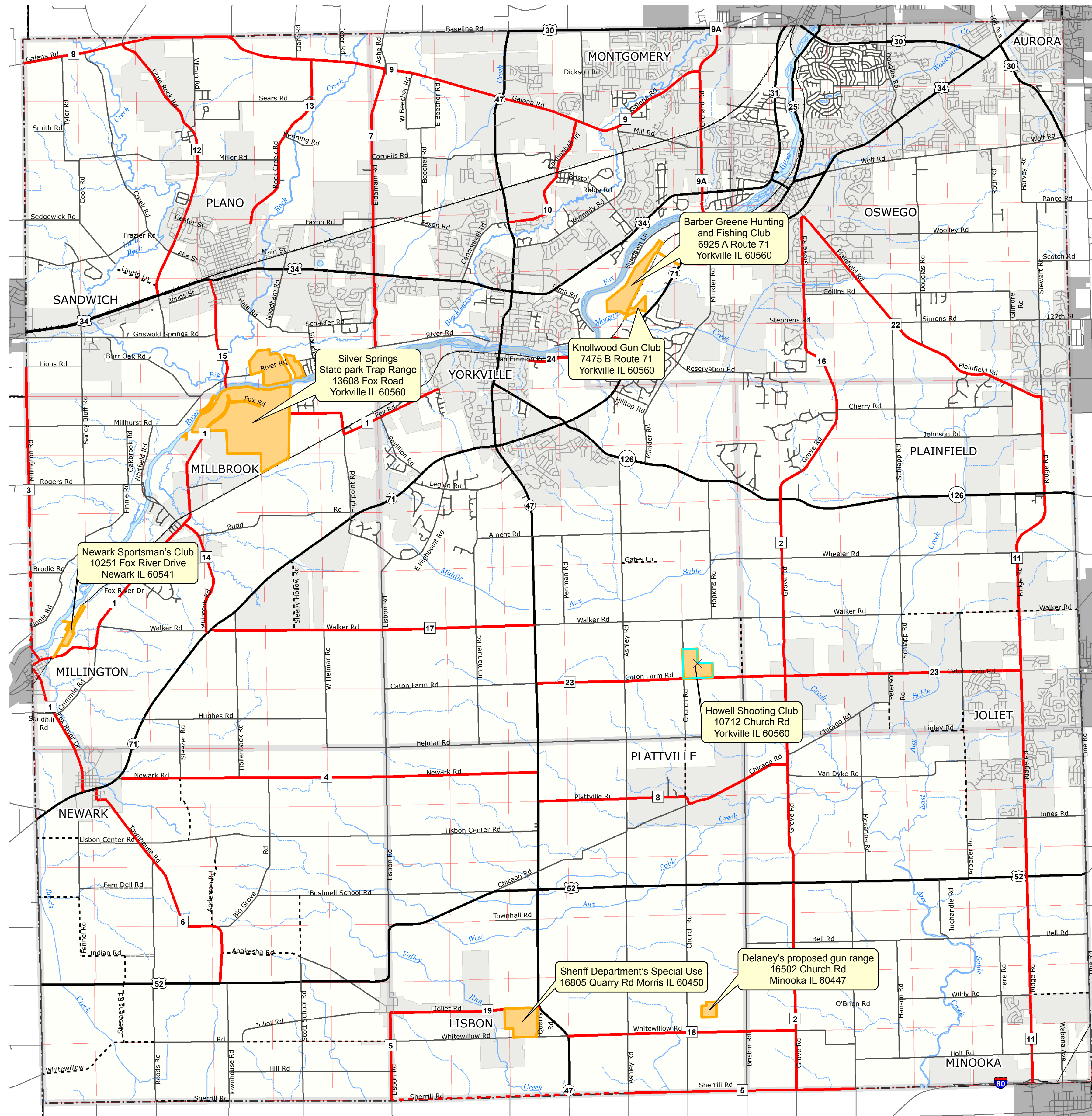
Scale: 1 in = 5,250 feet



Feet

Legend

Outdoor Shooting Range Locations



Kendall County GIS

111 West Fox Street - Room 308
Yorkville, Illinois 60560-1498
630.553.4030