



# Village of Lincolnwood Plan Commission

*Meeting*  
**Wednesday November 6, 2013**  
**7:00 P.M.**

*in the*  
**Council Chambers Room**  
**Lincolnwood Village Hall - 6900 Lincoln Avenue**  
**Amended Agenda**

1. **Call to Order/Roll Call**
2. **Pledge of Allegiance**
3. **Approval of Minutes**  
September 24, 2013 Meeting Minutes
4. **Public Hearing: Commercial Masonry Requirements - Zoning Code Text Amendment**  
*(Continued from September 11, 2013 and Remanded by Village Board and Committee on Ordinances, Rules, and Buildings)*  
**Request:** Text Amendment to Modify the Commercial Design Standards Relative to Masonry Requirements and to Consider Definition of "Masonry"
5. **Public Hearing: Health Club or Private Recreation and Firearms Shooting Ranges - Zoning Code Text Amendment**  
*(Continued from September, 11, 2013, July 10, 2013, May 1, 2013, March 6, 2013 and February 6, 2013)*  
**Request:** Text Amendment to Definition Section to consider Establishing or Modifying Certain Definitions Including but Not Limited to Health Club or Private Recreation, Firearms Shooting Ranges, or Similar Terms; Consideration of Firearms Shooting Ranges as a Special Use in M-B District Subject to Certain Restrictions; and, Establishing or Modifying Off-Street Parking Requirements for Firearms Shooting Ranges, Commercial Recreation Facility, or Other Similar Uses
6. **Public Hearing: Final Approval Procedure of Planned Unit Development - Zoning Code Text Amendment**  
*(Continued from August 7, 2013, June 5, 2013, May 1, 2013, March 6, 2013 and February 6, 2013)*  
**Request:** Text Amendment to Consider Requiring Public Hearing for Final Approval of Planned Unit Developments

7. **Public Hearing: 3700 West Devon Avenue – Special Use for Wireless Zoning Code Text Amendment**  
*(Continued from September 11, 2013 and Remanded by Village Board and Committee on Ordinances, Rules, and Buildings)*  
**Request:** Text Amendment to Modify the Commercial Design Standards Relative to Masonry Requirements and to Consider Definition of “Masonry”
8. **Public Hearing: Fence Material Regulations - Zoning Code Text Amendment**  
**Request:** Text Amendment to Consider Requiring Public Hearing for Final Approval of Planned Unit Developments
9. **Approval of 2014 Plan Commission Schedule**
10. **Next Meeting**
11. **Public Comment**
12. **Adjournment**

**DRAFT**



**MEETING MINUTES  
OF THE  
LINCOLNWOOD PLAN COMMISSION  
September 24, 2013  
7:00 P.M.**

**LINCOLNWOOD VILLAGE HALL  
COUNCIL CHAMBERS  
6900 NORTH LINCOLN AVENUE  
LINCOLNWOOD ILLINOIS**

**MEMBERS PRESENT:**

Chairman Paul Eisterhold  
Irving Fishman  
Don Sampen  
Mark Yohanna  
Patricia Goldfein (arriving at 7:12pm)  
Steve Jakubowski

**MEMBERS ABSENT:**

Sue Auerbach

**STAFF PRESENT:**

Community Development Manager Aaron N. Cook, AICP  
Community Development Director Timothy M. Clarke, AICP

**VILLAGE COUNSEL:**

Hart Passman

**OTHER VILLAGE REPRESENTATIVES PRESENT:**

President Turry  
Trustee Cope  
Trustee Klatzco  
Trustee Patel  
Village Clerk Herman  
EDC Chair Persino

**DEVELOPMENT TEAM REPRESENTATIVES PRESENT:**

Neal Stein, North Capital Group  
Ross Glickman, Urban Retail Properties  
Joe Antunovich, Antunovich Architects  
Greg Gorski, Antunovich Architects  
Brian Tiemann, Antunovich Architects  
Tony Gosetti, Antunovich Architects  
Luay Aboona, KLOA

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Richard Kahan, KBRE  
Nick Patera, Teska Associates  
Stephen Schwartz, First Hospitality Group  
Elizabeth Schover, First Hospitality Group  
Jim Prendergast, Kineo Group  
Louis Pukelis, Kineo Group  
Margaret Seid, HERR  
Michael Faron, W.E. O'Neil  
Lou Reiner, W.E. O'Neil  
Jerry Callaghan, Freeborn & Peters

**OTHERS PRESENT:**

Barb Faermark, Marc Printing  
Natalie Hayes, Pioneer Press

**I. CALL TO ORDER**

Chairman Eisterhold noting a quorum of five members present, called the meeting to order at 7:05 p.m. Chairman Eisterhold announced that Commissioner Auerbach would not be attending tonight's proceedings due to a schedule conflict.

**II. Workshop: Concept Plan for Purple Hotel Site**

Chairman Eisterhold announced the format for the evening's proceedings, indicating that the developer would lead off the meeting by presenting concept plans for the proposed redevelopment of the Purple Hotel site, followed by questions and comments from Commissioners.

Neal Stein of North Capital Group began by introducing members of the development team. He noted that a world class team had been assembled which included expertise of the following firms: Urban Retail Properties, Antunovich Architects, First Hospitality Group, KLOA, Teska Associates, Freeborn & Peters, W.E. O'Neil, as well as other firms.

Mr. Stein noted that they welcome input and questions and that he has already had meetings with surrounding condominium owners and have briefed the Village Board as well on the concept plans. He noted that the concept plans continue to be refined. He stated that they desire that the development should be for everyone, not for any specific demographic or economic group.

Members of the development team proceeded to describe various aspects of the concept plans and to give an overview of the proposed development. It was indicated that the development site now included 2 existing office properties to the north of the Purple Hotel property along Lincoln Avenue. For the proposed development, it was indicated that at the Lincoln and Touhy corner of the development, a fine arts cinema of 6-8 screens was a possibility, that the many planned corners of the proposed development were attractive to retail and restaurants and that a specialty grocer was envisioned for the west side of the development, along Touhy Avenue.

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Ross Glickman of Urban Retail Properties provided background on his firm and stated that between 150,000-175,000 square feet of retail for the site was expected, that there was strong tenant interest in the site and it was believed that the site would be quickly leased. He stated that the market for the tenants they seek was presently underserved.

Joe Antunovich continued by elaborating on the layout of the development, noting that 20 foot sidewalks were planned throughout the development. He stated that the architecture of the development would allow the design of individual storefronts within a set of parameters that will provide an organic environment, much like the traditional main street. He stated that the triangle shape of the property was a challenge and that parking was planned not only as surface parking along the interior streets, but also underground and above ground in a parking deck. It was noted that a residential building having 110 units was envisioned at the very north end of the development site, but that this was planned for a later phase of the development, with the remainder of the planned development occurring at one time during the first phase.

Luay Aboona of KLOA noted that he is studying the traffic impacts of the proposed development and were investigating the traffic signals at Touhy and Cicero and Touhy and Lincoln for possible ways to improve traffic flow and level of service in the entire area. He stated that conversations with IDOT have already occurred and that IDOT has been very receptive thus far to the ideas raised by the development. He noted that the proposed development will contain mixed uses which allows for shared parking, reducing the need for parking spaces. He noted that a traffic signal was proposed for Lincoln and Chase.

Steve Schwartz of First Hospitality Group, noted that they have been in business since 1984 and have developed 25 hotels. He indicated that a Spring Hill Suites hotel brand with about 120 units and an extended stay type hotel of about 90 units, under a dual branding concept, was currently planned for the site, along with approximately 4,500 square feet of banquet space. It was noted that a banquet kitchen however was not planned.

Further description of the proposed development was provided, including describing access, parking, traffic circulation, LEED certification and earlier changes incorporated into the concept plan based on staff comments. Neal Stein then unveiled the name of the proposed development: the Shoppes of Lincoln Point. It was stated that much time and energy was given to selecting this name and that prospective retailers have already embraced this name for the development. It was noted that the developer had already received 6 Letters Of Intent (LOI) for approximately 82,000 square feet. The Developer completed his initial presentation at 7:55PM at which time questions and comments from commissioners were received.

Commissioner Fishman inquired about market feasibility concerning the number of restaurants contemplated for the development. Ross Glickman responded by indicating that they believed that the market could support 6-8 restaurants at this location. He stated a market study had been completed and that they desired a mix of restaurant types that

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included local restaurants such as Psistaria. He noted that this development would not be exclusively high end but would be inclusive and be geared to more of a midrange market.

Commissioner Sampen inquired about the status of the proposed hotel. Steve Schwartz indicated that it is a 60-90 day process for a license agreement with a hotel and that they are 3 weeks into this process with Marriott. He expected this agreement to be consummated in mid- November-early December.

Commissioner Fishman noted the lack of anchors and Mr. Glickman confirmed that there would not be any department stores anchoring this development but other planned uses, such as the specialty grocery store would serve as such an anchor. Discussion continued on the market for grocery stores at this location.

Commissioner Goldfein inquired on the location of service areas for the development and how trucks will maneuver the site. She indicated that as currently conceived, this was a concern and believed that as currently planned this could be inadequate. She also desired to know the location of ADA parking spaces, how truck deliveries will occur and if conflicts between deliveries vehicles and customer traffic will result. Mr. Antunovich stated these were all great questions, that further plan development still needed to occur and that they will provide further details on these items for the Commission.

Commissioner Fishman noted the proposed Chase Avenue traffic signal and speculated that concern by residents east of Lincoln Avenue will be voiced. He suggested that ways to inhibit traffic from entering this neighborhood from the development be investigated. Commissioner Yohanna responded that left-right only movements onto Lincoln at this intersection could resolve this issue. Commissioner Yohanna continued by indicating that he likes the concept plan presented, noting that he expected with any concept plan, many tweaks will be needed during plan refinement. He however expressed a concern regarding the size of the possible restaurant spaces.

Commissioner Sampen also voiced support for the Concept Plan, noting the site plan was a big improvement over retaining the purple hotel structure. He expressed concern regarding marketability of all of the restaurants envisioned and emphasized the need to have a variety of stores in order to be successful.

Commissioner Jakubowski echoed support for the Concept Plan noting however that the devil is always in the details. In response to a question regarding schedule, Ross Glickman indicated that they were hopeful to have ground breaking by Summer 2014 and occupancy occurring in Fall 2015.

Commissioner Fishman inquired on the plans for, and status of, the Commonwealth Edison property concerning the parking shown for this property on the concept plan. Mr. Antunovich acknowledged that Commonwealth Edison is a large bureaucracy but that their consultant previously worked for them and has intimate knowledge of their leasing policies. He stated that the type of long term lease that they desire has been granted in the past by Commonwealth Edison. It was stated that as a fallback position, that if such

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parking on the Commonwealth Edison site became no longer available, the proposed parking deck could be expanded by a level to nearly accommodate all such lost parking.

Commissioner Yohanna expressed some concern regarding circulation within and access to the development and noted that he believed a recent development in Park Ridge at Northwest Highway and Touhy Avenue was overdeveloped.

Commissioner Goldfein also indicated concerns regarding density and the ease of getting in and out of the proposed development, noting that if this is difficult it will deter would-be customers. She also expressed concern that the development appears to turn its back on the Commonwealth Edison property and that a major public view of the development would be from Touhy Avenue traveling eastbound, viewing across the Commonwealth Edison site.

Commissioner Fishman indicated he is overall very excited about the development.

Chairman Eisterhold indicated that he was impressed and pleased with the concept prepared for the site. Chairman Eisterhold proceeded to identify various items and suggestions for the development. He stated that bollards should be considered along, and between, the main drive and the landscape/activity areas, such as the play area, in order to protect pedestrians and these activity areas from traffic. He also suggested a canopy for the hotel, inquired on where parking for the hotel will occur and suggested that canopies be considered in various areas throughout the development. He further inquired whether any deliveries would occur underground and the importance of security for the success of the development. He stated that the Village had been considering some Commonwealth Edison property for storm water detention and asked staff to review and clarify Public Works comments about tying into only the water main on Lincoln Avenue. Discussion ensued on several on these items.

Various other comments were made concerning the development including that roof top dining was being considered and that the developer would be seeking an economic incentive from the Village for this development.

Staff noted one traffic circulation concern regarding traffic that travels eastbound from the main north-south drive onto the planned east-west internal street. This concern was that once traffic passes the entrance to the underground garage, there is no ability for traffic to circulate within the development and instead traffic would be forced out onto Lincoln Avenue. Staff believed that having the ability to circulate traffic within the development rather than relying on Lincoln and Touhy would improve the project.

At the request of the Chair, staff summarized the written comments provided by Commissioner Auerbach, which were generally supportive of the Concept Plan presented.

Mr. Stein expressed appreciation to the Commission for their comments and willingness to modify their meeting schedule to accommodate this workshop review. He noted that

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excellent comments were provided and these will assist the development team in refining the plans. He indicated that he was hopeful to submit formal plans in November or December. Chairman Eisterhold noted that an additional workshop could occur on October 23<sup>rd</sup> if the developer thought this would be helpful.

**VII. OTHER BUSINESS:**

No other business was raised.

**VIII. PUBLIC COMMENT:**

No one in the audience rose to address the Commission.

**IX. ADJOURNMENT:**

At 9:15PM, Commissioner Yohanna made a motion, seconded by Commissioner Jakubowski, to adjourn the meeting. Motion approved by consensus.

Respectfully submitted,

Timothy M. Clarke, AICP  
Community Development Director



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# MEMORANDUM

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**TO:** Chairman Eisterhold  
Members of the Plan Commission

**FROM:** Aaron N. Cook, AICP  
Development Manager

**DATE:** November 1, 2013

**SUBJECT:** Remanded Zoning Code Text Amendment: Commercial, Institutional and Civic Building Design Standards and the Lincoln Overly District

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At the September 11, 2013 meeting, the Plan Commission reviewed the remanded zoning code text amendment relative to commercial, institutional and civic building design standards. More specifically, at the Plan Commission considered:

1. Review and enhance proposed definitions related to building materials,
2. Review pre-cast stone to determine if it is an acceptable material,
3. Review and possibly develop administrative process for approving other alternative “high quality materials” not identified in the Zoning Code, and
4. Reconfirm the remaining elements of the Plan Commission’s recommendation made at the March 6, 2013 PC Meeting.

## **Summary of September 11, 2013 Plan Commission Discussion**

### 1. Proposed Definitions

The Commission was generally supportive of the definitions presented. The Plan Commission continued the review of the definitions subject to more specific discussion relative to “high quality materials”. Attached are these proposed definitions.

### 2. Pre-Cast Stone

The Commission agreed that pre-cast stone is not appropriate for inclusion as a “high quality material”. Such material however is appropriate as a minor accent. This discussion led the Plan Commission to review and consider panel construction. To assist with this discussion, the Plan Commission Chair has provided photographs of this material/construction type. Staff also took a photograph of a building in Lincolnwood that was identified by the Chair. This building is located at 3924 Devon Avenue.

### 3. Administrative Approval Process

Staff researched other communities in the region and nationally and was unable to find any approval process that occurred on a staff level. If an alternative material were proposed communities handled these requests by either Text Amendment to include the new material or by an established Design Review Committee. The Commission generally agreed that the intent of an administrative review may be positive, creating and implementing such a process would be difficult.

### 4. Reconfirm Other Recommendations

The Plan Commission did not discuss any other items of the prior recommendation. Below is a summary of the prior recommendation.

1. Eliminating “Masonry Only” requirement from the Lincoln Avenue Overlay District;
2. Establish that the exterior walls of non-residential buildings be constructed with a minimum of 75% “high quality materials”. This includes a requirement that from the ground level to the top of the first floor windows must be constructed entirely of “high quality materials”;
3. Establish a list of permitted “high quality materials” which includes: 1) brick with a minimum thickness of 2.25 inches, 2) natural stone, 3) sandstone, 4) other native stone, and 5) glass;
4. Add definitions for Brick, Decorative Concrete Block, Masonry, and Stone; and
5. Add *Exterior Insulation Finishing Systems (“EIFS”)* and *metal and vinyl lap board siding* as specifically prohibited materials.

As a reminder, except for refinements to the definitions and its recommendation to remand back for consideration whether pre cast stone is an acceptable high quality material and consideration of an administrative approval process for alternative high quality material, CORB and COTW was supportive of the remainder of the Plan Commission recommendation and recommends that it be approved by the Village Board. As part of any motion the Plan Commission should include affirmation of the previous recommendation made on March 6, 2013.

### Attachments

1. Excerpt of September 11, 2013 Plan Commission Minutes
2. Proposed Definitions
3. Photographs
  - a. 3924 Devon Avenue
  - b. Chair Submitted – Zoo Under Construction
  - c. Chair Submitted – Walgreens Under Construction

Commissioner Yohanna expressed his support of the project. The Commission reviewed the requested Variations and Special Use.

Chairman Eisterhold identified that the applicant has submitted the standards for Variation and Special Use and the commission is in receipt.

Chairman Eisterhold asked if there was anyone in the audience who wanted to comment. There was none.

The Commission discussed the request for Special Use.

**Special Use for Drive-Through**

**Motion to Approve** by Commissioner Fishman and Seconded by Commissioner Yohanna subject to:

- Rooftop equipment shall be installed with screening from all sides with sound attenuating measures, in order to minimize visual and sound impact.
- A Site Management Agreement between the owner and Village shall be required in a form approved by the Village Attorney.
- The materials used on the south and west elevations shall prevent the escape/spillage of light onto adjoining properties.

**Aye: Fishman, Yohanna, Sampen, Goldfein, and Eisterhold**

**Nay: None**

**Motion Carried 5-0.**

**Variations for Parking in Front and Corner Side Yard, Perimeter Landscape, Interior Landscape, Drive-Through Stacking**

**Motion to Approve** by Commissioner Yohanna and Seconded by Commissioner Fishman subject to revoking Ordinance No. 2013-3048 which previously granted variations for the renovation of the existing building.

**Aye: Yohanna, Fishman, Sampen, Goldfein, and Eisterhold**

**Nay: None**

**Motion Carried 5-0.**

Chairman Eisterhold expressed his pleasure with the proposal as the site has been challenging. Chairman Eisterhold complimented the site design including the parking up to the building rather than out toward the street.

The Plan Commission recessed for five minutes.

Commissioner Yohanna left the meeting.

Chairman Eisterhold called the meeting back to order.

**V. PUBLIC HEARING: Commercial Masonry Requirements – Zoning Code Text Amendment (Remanded by Village board and Committee on Ordinances, Rules, and Buildings)**

Chairman Eisterhold commented on the Village action relative to this matter since the Plan Commission last considered the Text Amendment.

Ms. Shannon Armstrong, Brick Industry Association, stated that she is available to assist with the discussion and to answer questions.

Mr. Cook stated that both the Committee on Ordinances, Rules, and Buildings and Committee of the Whole are supportive of the bulk of the recommendation that the Plan Commission forwarded. Mr. Cook stated that there is a narrowed list of items that these bodies have sent back to the Plan Commission for review. Mr. Cook presented the four items for discussion: 1) review and enhance proposed definitions related to building materials, 2) review pre-cast stone to determine if it is an acceptable material, 3) review and possibly develop administrative process for approving other alternative "high quality materials" not identified in the Zoning Code, and 4) reconfirm the remaining elements of the Plan Commission's recommendation made at the March 6, 2013 meeting.

Mr. Cook stated that the revised definitions have been presented to CORB and COTW and neither body had comments or objections. Mr. Cook noted that the revised definitions were the result of hard work by Ms. Armstrong. Mr. Cook explained that since the revised definitions differ from those previously recommended, it is best for the Plan Commission to receive the revised definitions and move to approve. Chairman Eisterhold expressed his support of the revised definitions. Chairman Eisterhold asked if it would be beneficial to require a water repellent application for manufactured stone. Ms. Armstrong stated that manufactured stone is a barrier system and requiring an application would benefit the longevity of the product. Commissioner Goldfein indicated that the moisture may be trapped behind the product.

Chairman Eisterhold stated that in his reading of the materials distributed by staff there are several deteriorating factors. Ms. Armstrong noted that in addition to weathering factors specifically de-icing salt has been discovered to eat away at the product. Ms. Armstrong explained that the color of the product is added and fading can occur.

Chairman Eisterhold noted several buildings in the community with manufactured stone. The Chair noted the locations: Whistlers, kollole next to Dairy Star, MB Bank may have panels of manufactured stone, in the back of the building at the corner of Proesel and Devon Avenues, and the condominium buildings on Devon Avenue. Chairman Eisterhold explained the building at Proesel and Devon Avenues is constructed with tilt-up pre-cast panels.

Commissioner Goldfein wondered if the definitions have been enhanced well enough. Mr. Cook stated that he believes the definitions are sufficient but rather the discussion of manufactured stone is one of whether that material should be permitted as a high quality material.

Chairman Eisterhold asked if manufactured items are substandard. Ms. Armstrong stated that the cast stone/manufactured materials are not used structurally but rather as accents. Ms. Armstrong stated that many of the materials are glued on to a building. Commissioner Fishman asked if the material would be a safety issue if it could pop off of a building.

Commissioner Goldfein commented that the pre-cast stone/manufactured stone probably is not appropriate as a high quality material.

Commissioner Fishman asked if there have been issues in administering the design requirements that caused this review. Mr. Cook explained that the Text Amendment has its origins in the Village's consideration of Meatheads. Mr. Cook noted that the Village was highly supportive of the Meatheads design however; the materials used did not comply with the high quality material as found in the Zoning Code. Mr. Cook added that the section could be strengthened and that the review is appropriate. Mr. Cook noted that there are no known issues with the use of pre-cast stone in Lincolnwood.

The Commission discussed several scenarios in which simulated limestone and manufactured stone may be used.

Ms. Armstrong complimented the Village ordinance relative to design materials and indicated that she does not believe there will be many implementation issues. Ms. Armstrong clarified that pre-cast/manufactured/simulated stone are the same.

Mr. Cook reviewed the consensus from the discussion to remove pre-cast from the list of high quality materials and to allow it as a minor accent. Chairman Eisterhold referenced the material used in a structural manner and is decorative at Devon and Proesel Avenues. Mr. Cook stated that if that material is desired then the Plan Commission should identify what is unique about that product that sets it apart from pre-cast stone materials. Chairman Eisterhold indicated that the panels are commonly used for industrial and recreational buildings.

Mr. Cook reviewed the third remanded item. Mr. Cook indicated that staff along with the assistance of Ms. Armstrong could not find any staff level administrative approval process. Mr. Cook stated that typically, communities authorize alternative materials by way of Design Review Boards. Mr. Cook concluded by stating that he would not be comfortable with a staff only administrative review process.

Chairman Eisterhold asked if Ms. Armstrong has observed other communities struggling with how to regulate certain materials. Ms. Armstrong stated that simulated stone is a common discussion in the area. Ms. Armstrong explained that the Brick Industry Association would likely categorize cementitious fiber board as a higher quality material. Ms. Armstrong stated that many communities have similar discussion with similar struggles. Ms. Armstrong complimented the Village for being proactive with the material discussion rather than reacting to a situation.

Chairman Eisterhold thanked Ms. Armstrong for her assistance and for attending the meeting to discuss.

**Motion to Continue** the matter to the November 6, 2013 regularly scheduled meeting by Commissioner Goldfein and Seconded by Commissioner Sampen.

**Aye: Goldfein, Sampen, Fishman, and Eisterhold**

**Nay: None**

**Motion Carried 4-0.**

**VI. PUBLIC HEARING: Health Club or Private Recreation and Firearms Shooting Ranges – Zoning Code Text Amendment (*Continued from July 10, 2013, May 1, 2013, March 6, 2013 and February 6, 2013*)**

**Motion to Continue** the matter to the November 6, 2013 regularly scheduled meeting by Commissioner Sampen and Seconded by Commissioner Goldfein.

**Aye: Sampen, Goldfein, Fishman, and Eisterhold**

**Nay: None**

**Motion Carried 4-0.**

**VII. PUBLIC HEARING: Accessory Structures – Zoning Code Text Amendment (*Continued from July 10, 2013, June, 5, 2013, May 1, 2013, March 6, 2013 & February 6, 2013*)**

**Motion to Continue** the matter to the December 4, 2013 regularly scheduled meeting by Commissioner Sampen and Seconded by Commissioner Fishman.

**Aye: Sampen, Fishman, Goldfein, and Eisterhold**

**Nay: None**

**Motion Carried 4-0.**

Commissioner Sampen left the Plan Commission Meeting.

**VIII. PUBLIC HEARING: Lincoln Avenue Plan – Amendment to Comprehensive Plan**

Chairman Eisterhold stated that the Plan Commission should invite the members of the Lincoln Avenue Task Force who made recommendations in the adopted plan to attend a Plan Commission meeting. Commissioner Goldfein suggested the matter be continued to the October workshop date.

Mr. Cook clarified the staff report relative to the open item of adopting a moratorium on residential development along Lincoln Avenue. Chairman Eisterhold asked if there were any pending residential applications for residential on Lincoln Avenue. Mr. Cook stated that there are no applications in to the Village. Mr. Cook added that moratoriums should not be in place for long periods of time. Commissioner Fishman indicated that he is not in favor of imposing a moratorium. Commissioner Fishman stated a review of the various sites along Lincoln Avenue is appropriate rather than universally prohibiting residential along Lincoln Avenue.

## Proposed Definitions

**BRICK:** A molded rectangular block primarily comprised of clay and/or shale, fired with natural gas or coal at approximately 2000 degrees to fuse the shale or clay into a durable building unit that is laid contiguously with joints between the units filled with mortar and ~~Either: (i) kiln-fired clay or shale brick that is not underfired and is manufactured to ASTM C216 or C652, Grade SW; or (ii) concrete brick with integral coloration, manufactured to ASTM C1634.~~ Brick shall not be painted, and shall have a minimum thickness of two and one quarter inches when applied as a veneer.

~~DECORATIVE~~ **ARCHITECTURAL CONCRETE MASONRY UNIT BLOCK:** Either architectural concrete block or brick. Architectural concrete block and concrete brick have highly-textured finishes, in a variety of styles such as indented, split, hammered, fluted, or ribbed or similar architectural finish. Natural or synthetic pigmentation is added during the manufacturing process to produce color variations.

**MASONRY:** Clay brick, stone, rock, or other substantially similar materials, laid contiguously with joints between ~~installed up units by unit set in~~ filled with mortar.

**NATURAL STONE:** Naturally-occurring granite, marble, limestone, slate, river rock, sandstone, other native stone and other similar hard and durable all weather stone that is customarily used in exterior building construction.

**MANUFACTURED STONE** may also include cast, pre-cast decorative or ~~manufactured simulated~~ stone product, provided that such product is not painted, yields a highly textured stone-like appearance, with coloration that is added during the manufacturing process to produce color variations integral to the masonry material, and is highly durable and ~~maintenance free.~~ **Manufactured** ~~Natural or man-made~~ stone shall have a minimum thickness of two and five eighths inches when applied as a veneer.

~~Strikethrough:~~ Deleted Language

Red Text: Added Language



















**Agenda Item #5**



**Staff Report  
Plan Commission  
November 6, 2013**

*Continued from September 11, 2013, July 10, 2013,  
May 1, 2013, March 6, 2013 & February 6, 2013*

**Subject Property: N/A (Text Amendment)**

**Zoning District:** Requested action is applicable to the B1, B2, B3, O-1, and M-B Districts.

**Requested Action:** Text Amendment to Various Sections of the Zoning Ordinance including but not limited to the Definitions Section, Land Use Table, Off-Street Parking Schedule, etc. relative to modifying the definition of Health Club or Private Recreation, Firearms Shooting Ranges.

**Nature of Request:** Consideration to Modify and/or add certain definitions including but not limited to Health Club or Private Recreation and Firearms Shooting Ranges; Consideration of Firearms Shooting Ranges as a Special Use in the M-B District subject to certain restrictions; and the Addition or Modification of Off-street Parking Requirements for Firearms Shooting Ranges, Commercial Recreation Facility, or Other Similar Uses

**Petitioner:** Village Board

**Summary**

*Since the September 11, 2013 Plan Commission meeting staff has been able to research use and parking standards within the region relative to firearms shooting ranges. Attached to the staff summary is a memorandum prepared by Ryan Johnson, Community Development Department Intern.*

*Items for discussion from the July 10, 2013 meeting include but are not limited to: 1) modification of the definition of "Firearms Shooting Range", 2) consideration of appropriate off-street parking standards; and 3) consideration of additional standards.*

*Note: Below is the summary provided at the July 10, 2013, May 1, 2013, March 6, 2013 and February 6, 2013 Plan Commission meeting. This matter was continued.*

On November 9, 2012, the Village Board adopted Resolution No R2012-1710, initiating a referral to the Plan Commission for text amendments to the Zoning Ordinance. These

proposed text amendments concern Firearms Shooting Ranges and the existing definition found in the Zoning Ordinance for “Health Clubs and Private Recreation”. The purpose of these text amendments is to:

1. Specifically exclude from the definition of “Health Clubs and Private Recreation”, Firearms Shooting Ranges, and
2. Establish in the Zoning Ordinance, “Firearms Shooting Ranges” as a Special Use in the M-B Zoning District.

The adopted Village Board Resolution suggests, but does not identify, that other restrictions may be determined to be necessary and desirable in establishing Firearms Shooting Ranges as a Special Use in the M-B Zoning District.

### **Definitions**

Currently, within the Zoning Ordinance the pertinent definition reads:

#### **HEALTH CLUB or PRIVATE RECREATION**

A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary or usual recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee.

For public hearing consideration, staff suggests that this definition be broken down into three separate definitions as follows:

**Firearms Shooting Range:** A specialized indoor soundproof facility, supervised by a Range Safety Officer and designed for the safe shooting practice of firearms, such as handguns and rifles.

**Health Club:** A business establishment which promotes physical fitness and which contains equipment for body exercising or other facilities intended to improve physical fitness, diet, weight control and/or health and which is generally utilized by members who pay a periodic fee for facility access and use.

**Commercial Recreational Facility:** A privately owned for-profit commercial facility designed and equipped to provide customary leisure time or recreational activities, such as bowling, swimming, miniature golf, ice skating, tennis, racquetball and like activities.

If the Plan Commission concurs with this definitional breakdown, staff would further recommend that both “Health Club” and “Commercial Recreational Facility” be added to the Use table in the Zoning Ordinance to replace the current listing for “Health Club and Private Recreation” and that this definition be eliminated altogether from the Ordinance.

### **Parking Standards**

With the addition of a separate listed use in the Use Table for Firearms Shooting Ranges, staff recommends the addition of a parking standard for this use. Previously, based on research, staff recommended a parking standard for shooting ranges as follows:

2 parking spaces per shooting range station plus 3 spaces per 1,000 square feet of floor space not devoted to indoor shooting range.

Should the Plan Commission concur with the separation in the Use Table for “Health Club” and “Commercial Recreation Facility”, staff would also like to review appropriate parking standards for these uses for possible amendment. Currently, the parking standard for “Health club or recreation facility, private” is 1 space per 3 persons+ 1 space per /2 full time employees. Staff notes that currently a separate parking standard already exists for bowling alleys (5 spaces per lane).

### **Firearms Shooting Range Use**

The Village Board initiated text amendment proposes that Firearms Shooting Ranges be allowed in the M-B District as a Special Use. Last June, as part of the Shore consideration, a proposed text amendment was presented for Firearms Dealers as a Special Use in the M-B District. This proposal also included:

- an 800 foot minimum distance requirement from any “P” Park zoned property or,
- any “R” Residentially zoned property

The effect of enacting a similar 800 foot minimum distance for Firearms Shooting Ranges from “P” or “R” zoned property would be a significant reduction in the area of the M-B zone in which a shooting range could be located (see attached map). Staff believes that this additional locational restriction within the M-B District has merit for Firearms Shooting Ranges and suggests its consideration as part of these text amendments.

Staff notes that this proposal for an 800 foot minimum distance from R or P zoned property is just that, a minimum distance from property which is *zoned* for Park or Residential use, rather than from how a property might be actually used. This distinction is made since previously some in the community mistook the minimum distance proposal from P zoned property as meaning a required minimum distance from any type of park or open space, such as the proposed bike trail (which is not zoned P). Staff recommends using Zoning Districts and the Village Zoning Map for determining any minimum distance, since this is very objective.

In addition to considering this minimum distance requirement, staff suggests that performance standards for Shooting Ranges be considered for this use. Surprisingly, while there is an estimated 16,000-18,000 indoor shooting ranges in operation in the United States; staff has found few local requirements for them. In reviewing the literature on shooting range uses, the following four areas appear to represent the areas of greatest concern with this use:

1. Customer/Employee Safety
2. Health concerns (lead exposure)
3. Property/Business Security Plan
4. Noise concerns

To respond to these areas of concern, staff recommends that the following Performance Standards for Firearms Shooting Ranges be considered for inclusion in the Zoning Ordinance:

1. Range design must conform to US Department of Energy's Range Design Criteria, dated June 4, 2012 or subsequent editions.
2. Range must conform to US Department of Labor Occupational Safety and Health Administration (OSHA) requirements
3. Range must be in conformance with an established and Police Chief approved Range Safety Plan, which shall specify range safety requirements and procedures for customers and workers.
4. Range must be in compliance with a Police Chief approved Security Plan for the business and property.
5. Range must comply with any and all applicable US or Illinois Environmental Protection Agency requirements concerning lead and noise
6. Range must comply with Village noise restrictions.

Attached is the US Department of Energy Range Design Criteria as well as a recent ordinance which regulates shooting ranges in Richland Township Pennsylvania. To provide additional background, also attached is an August 2012 memorandum prepared by the City of Urbana Illinois concerning a proposed text amendment in that city concerning firearms dealers and shooting ranges.

**Attachments**

1. Shooting Range Parking Requirements - Memorandum
2. Resolution No. R2012-1710
3. Map- M-B Parcels not within 800 feet of P or R Zoned Property
4. Department of Energy Range Design Criteria
5. Richland Township Shooting Range Ordinance
6. City of Urbana August 2012 Text Amendment Memo



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## MEMORANDUM

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To: Tim Clarke, AICP, Community Development Director  
Cc: Aaron N. Cook, AICP, Community Development Manager  
From: Ryan N. Johnson, Community Development Intern, with information from former Intern Andrea Litzhoff's August 17, 2012 Memorandum on Local Shooting Range Regulations  
Date: October 18, 2013  
Re: Shooting Range Parking Requirements

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### **Introduction**

Staff was tasked with gathering common off-street parking requirements for indoor shooting ranges including accessory retail of firearm products. Staff sourced established parking studies for parking information. Pertinent information from surrounding communities was less readily available. Shooting ranges and retail firearms sales are not a common use in Chicagoland, and many shooting ranges have been “grandfathered” in their present locations. Therefore there are few direct examples of parking requirements to cite within the local area.

### **Des Plaines**

On July 16, 2012, Des Plaines approved an ordinance granting Maxon Shooters a conditional use permit to relocate and expand its business within a manufacturing district. Des Plaines placed these conditions, among others, on Maxon Shooters:

- Applicant must submit a landscape plan with areas of new and constructed parking lot.
- Applicant must improve the parking lot and interior landscaping in new and reconstructed areas and a sidewalk for pedestrians.
- All parking areas shall be surfaced and striped to meet building code hard surface requirements.

This facility includes a retail sales area, two classrooms and two shooting ranges. There are 18 shooting positions. The building totals 14,760 square feet. There are 59 parking spaces on the proposed site plan. Based on these figures the staff concludes there are:

- 4.00 parking spaces per 1,000 square feet of building space

- 3.28 parking spaces per shooting position

### **Lombard**

Article II is a firearms dealer and shooting range open to the public located in Lombard. Per local ordinance it is considered a “Shooting Gallery & Range, Indoor (with ancillary retail sales of associated product).” Staff located the conditional use ordinance for Article II shooting range in Lombard. Article II shooting range must maintain the following conditions to stay compliant to the ordinance:

- Maximum occupancy must be the lesser of: 103 persons or, as determined by building code
- Provide a minimum of 6 employee parking spaces

This facility has a total of 32 shooting positions. There are approximately 41 off-street parking spaces available, based upon visual inspection. There are therefore approximately:

- 1.28 parking spaces per shooting position

Staff also gathered information from the Institute of Transportation Engineers informational report *Parking Generation*, 4<sup>th</sup> edition. This guide provides studies on various parking situations including retail, office and industrial. There were no studies directly related to shooting ranges or firearm sales. Staff found businesses with similar square footage uses for comparison.

### **Bowling alleys, suburban**

Bowling alleys have linear stretches of space not intended for foot traffic, relating to shooting ranges. These are the results of studies of peak parking demand at 13 sites throughout the United States:

- 4.00 vehicles per bowling lane, non-Friday Weekday. Peak period: 7-8pm.
- 5.02 vehicles per bowling lane, on a Friday. Peak period: 7-8pm.
- 3.47 vehicles per bowling lane, on a Saturday (one study). Peak period: 11pm-12am.

### **Bowling alleys, urban:**

- 3.13 vehicles per bowling lane, average demand on non-Friday Weekday. Peak period was 7-10pm.

There are important considerations when comparing bowling alleys with shooting ranges:

- Number of individuals at each bowling lane
- The extent of ancillary activities at a bowling alley (billiards, lounge, etc.)
- Traffic increase during the transition between activities (such as bowling leagues)

**Health/Fitness Club**

These are categorized as privately owned and “focus on individual fitness or training.” The parking for these studies is based on the average demand during peak periods, based on building square footage. These studies were conducted at 16 sites.

- 5.27 vehicles per 1,000 sq. ft. GFA; on a Weekday. Peak period 6-7pm.
- 2.89 vehicles per 1,000 sq. ft. GFA; on a Saturday. Peak period 9am-12pm and 7-8pm.

**VILLAGE OF LINCOLNWOOD**

**RESOLUTION NO. R2012-1710**

**A RESOLUTION INITIATING AND REFERRING TO  
THE PLAN COMMISSION A PROPOSED ZONING ORDINANCE AMENDMENT  
REGARDING FIREARMS SHOOTING RANGES AND THE DEFINITION OF  
"HEALTH CLUBS AND PRIVATE RECREATION"**

WHEREAS, the Village of Lincolnwood is a home rule municipal corporation in accordance with Article VII, Section 6(a) of the Constitution of the State of Illinois of 1970; and

WHEREAS, the Village has the authority to adopt ordinances and to promulgate rules and regulations that pertain to its government and affairs, and to review, interpret and amend its ordinances, rules and regulations; and

WHEREAS, Section 2.02 of "The Village of Lincolnwood Zoning Ordinance," as amended ("*Zoning Ordinance*"), defines "Health Club or Private Recreation" as "A building or portion of a building designed and equipped for the conduct of sports, exercise, leisure time activities, or other customary or usual recreational activities, operated for profit or not-for-profit and which can be open only to members and guests of the organization or open to the public for a fee."; and

WHEREAS, The Zoning Ordinance allows health clubs and private recreation facilities as a permitted use in the B-2 and B-3 Districts of the Village, and as a special use in the B-1, O-1, and M-B Districts of the Village; and

WHEREAS, the Village Staff has historically and consistently interpreted the term "Health Club or Private Recreation" to exclude firearms shooting ranges; and

WHEREAS, the Village Board of Trustees concurs with the interpretation by Village Staff of the term "Health Club or Private Recreation"; and

WHEREAS, in connection with a recently withdrawn application for zoning relief for the operation of a firearms shooting range, the Village Board had the occasion to consider the issue of shooting ranges, and the appropriate location and zoning of such uses in the Village, and determined that further deliberation and action on this issue is necessary; and

WHEREAS, the Village Board now desires to initiate an amendment to the Zoning Ordinance to: (i) formally codify the Village's determination that "Health Club or Private Recreation" excludes firearms shooting ranges; and (ii) establish that firearms shooting ranges may be allowed as a special use in the M-B District of the Village, subject to distance, location, and other restrictions that may be determined to be necessary and desirable during the public hearing, report and recommendation process (collectively, the "*Proposed Amendment*"); and

WHEREAS, pursuant to Sections 5.16(2) and (3) of the Zoning Ordinance, the Village Board has determined that it is appropriate and in the best interest of the Village to initiate the Proposed Amendment and forward it to the Plan Commission for a public hearing and a report and recommendation back to the Village Board;

NOW, THEREFORE, BE IT RESOLVED BY THE PRESIDENT AND BOARD OF TRUSTEES OF THE VILLAGE OF LINCOLNWOOD, COOK COUNTY, ILLINOIS, as follows:

SECTION 1. RECITALS. The facts and statements contained in the preamble to this Resolution are found to be true and correct and are hereby adopted as part of this Resolution.

SECTION 2. INITIATION AND REFERRAL OF PROPOSED AMENDMENT TO PLAN COMMISSION. Pursuant to Sections 5.16(2) and (3) of the Zoning Ordinance, the Village Board shall, and does hereby, initiate the Proposed Amendment and refer it to the Plan Commission for a public hearing and a report and recommendation back to the Village Board.

SECTION 3. EFFECTIVE DATE. This Resolution shall be in full force and effect from and after its passage and approval as provided by law.

PASSED this 9<sup>th</sup> day of November, 2012.

AYES: Trustees Patel, Swanson, Heidtke, Elster, Sprogis-Marohn

NAYS: None

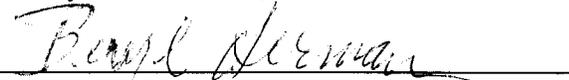
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ABSTENTION: None

APPROVED by me this 9<sup>th</sup> day of November, 2012.

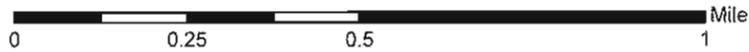
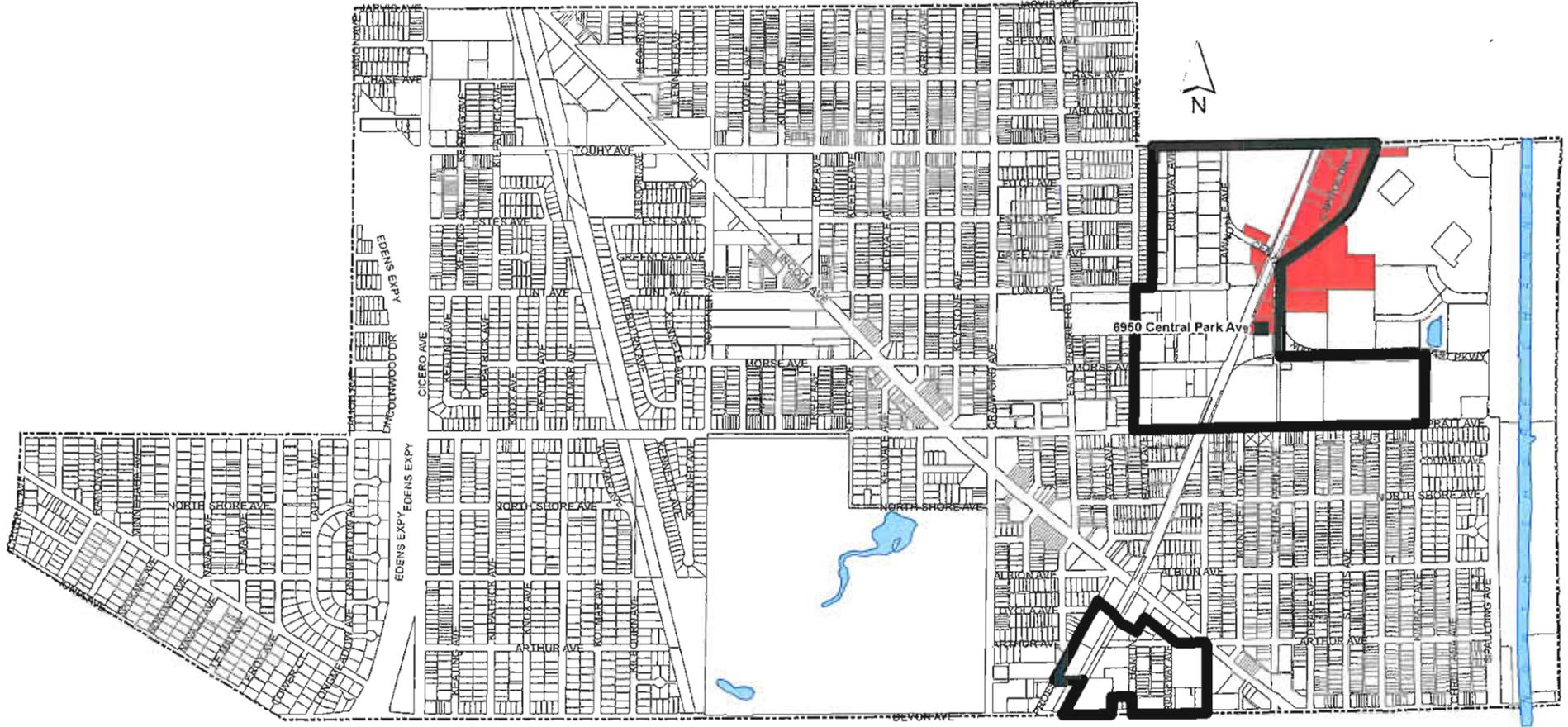
  
\_\_\_\_\_  
Gerald C. Turry, President  
Village of Lincolnwood, Cook County, Illinois

ATTESTED and FILED in my office this  
9<sup>th</sup> day of November, 2012

  
\_\_\_\_\_  
Beryl Herman, Village Clerk  
Village of Lincolnwood, Cook County, Illinois

# Firearms Ordinance Review

Parcels Not Within 800ft of 'R' or 'P' Zoned Properties



-  MB Zoning District
-  Parcel not within 800ft of 'R' or 'P' zoned properties
-  Parcel

# **RANGE DESIGN CRITERIA**

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**U.S. DEPARTMENT OF ENERGY  
Office of Health, Safety and Security**

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**AVAILABLE ONLINE AT:**  
<http://www.hss.energy.gov>

**INITIATED BY:**  
Office of Health, Safety and Security

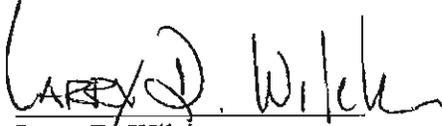
## Notices

This document is intended for the exclusive use of elements of the Department of Energy (DOE), to include the National Nuclear Security Administration, their contractors, and other government agencies/individuals authorized to use DOE facilities. DOE disclaims any and all liability for personal injury or property damage due to use of this document in any context by any organization, group, or individual, other than during official government activities.

Local DOE management is responsible for the proper execution of firearms-related programs for DOE entities. Implementation of this document's provisions constitutes only one segment of a comprehensive firearms safety, training, and qualification program designed to ensure that armed DOE protective force personnel are able to discharge their duties safely, effectively, and professionally. Because firearms-related activities are inherently dangerous, proper use of any equipment, procedures, or techniques etc., identified herein can only reduce, not entirely eliminate, all risk. A complete safety analysis that accounts for all conditions associated with intended applications is required prior to the contents of this document being put into practice.

CERTIFICATION

This document contains the currently-approved firearms "Range Design Criteria" referred to in DOE O 473.3, *Protection Program Operations*.



Larry D. Wilcher  
Director  
Office of Security  
Office of Health, Safety and Security

6/4/2012  
Date

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ATTACHMENT 1 -- RANGE DESIGN FIGURES ..... Attachment 1-1

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## RANGE DESIGN CRITERIA

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1. PURPOSE. This document contains design criteria for U.S. Department of Energy (DOE) live-fire ranges for use in planning new facilities and major rehabilitation of existing facilities. This document will be approved and maintained by the Office of Security, Office of Health, Safety and Security (HSS) as a stand-alone document on the HSS website: <http://www.hss.doe.gov/SecPolicy/pfs.html>.
2. PLANNING FACTORS. All applicable local, State, Federal, U.S. Environmental Protection Agency, Occupational Health and Safety Administration (OSHA), and National Environmental Policy Act requirements should be addressed and be reviewed annually (at least every 12 months) by the site to incorporate any requirements and/or changes that occur.
3. PLANNING OVERVIEW.
  - a. General Considerations.
    - (1) Live-fire range design should: (a) promote safe, efficient operation; (b) include provisions for ease of maintenance; and (c) be affordable to construct and maintain.
    - (2) Live-fire ranges should be designed to prevent injury to personnel and to prevent property damage outside the range from misdirected or accidental firing and ricochets. They should also be designed to direct ricochets away from the firing line inside the range.
    - (3) An open range may be established provided that enough distance and land area available to allow for surface danger zones (SDZs) appropriate for the weapons to be used. Lack of SDZs may require baffled ranges. Extreme weather conditions may necessitate indoor ranges.
  - b. Type of Range.
    - (1) Range requirements should be considered when determining the type and size of the range and the material to be used.
    - (2) The range should be suitable for training and qualifications for all courses of fire used on the site as set forth in the HSS-approved Firearms Qualification Courses.
    - (3) The range should be designed for shooting day and reduced-lighting DOE firearms courses, moving targets, multiple targets, and advanced shooting courses/activities (e.g., shooting at steel targets) that may be required by the site.

- (4) When determining whether the facility will be an indoor, open outdoor, partially baffled, or fully baffled range, the decision-making process should include site weather conditions, available land, available funding, and environmental, safety, and health considerations. The following additional factors should be considered.
  - (a) How many shooters must be accommodated?
  - (b) Will emphasis be on training or competitive activities?
  - (c) What types of firearms and range of ammunition will be used? (See Table 1.)
  - (d) Will the facility be used exclusively by DOE or will it be open to other organizations?
  - (e) What special uses will be made of the facility; e.g., advanced training, special weapons, or explosives?
  - (f) What lighting will be required, and what lighting is desired?
  - (g) What administrative space will be needed?
  - (h) What types of target mechanisms will be used?
  - (i) Will spectator safety areas be needed?
  - (j) What types of acoustics will be needed?
  - (k) How will lead contamination be controlled?
  - (l) Where will bullet traps be needed?
  - (m) Where will firearms cleaning and maintenance be performed?
- c. Site Selection Preparation. The site selected should accommodate the required facility. It should meet acceptable standards for safety and have sufficient space, access, and acceptable zoning and construction costs. Land acquisition costs, future land values, and possible restrictions should also be examined. To ensure the project is feasible the following data should be considered.
  - (1) Documents. Copies of specific site, environmental, and construction criteria; applicable mandated regulations from Federal, State, county, and local authorities; copies of ordinances, zoning regulations, soil conservation standards, health department requirements, and any other regulations that may pertain to the project should be obtained.

- (2) Alternate Sites. Identify alternate sites, because one or more of the potential sites may be unsuitable or construction costs may be prohibitive.
  - (3) Technical Data. Gather technical data relevant to each site including zoning maps, aerial photographs, topographic maps, and onsite ground and aerial information.
- d. Considerations. The criteria to be considered in this process are:
- (1) environmental restrictions; e.g., Endangered Species Act, Wilderness Act, and air and water pollution criteria;
  - (2) access; e.g., is it adequate or should a roadway be constructed to the site;
  - (3) construction cost; e.g., berms, baffles, barriers, earth moving;
  - (4) other restrictive Federal or State statutes and local ordinances; and
  - (5) community growth, especially in areas where urban growth is rapid. Escalating property values may make it unwise to construct in a particular area.
- e. Preliminary Design Stage.
- (1) Prepare:
    - (a) a preliminary layout sketch of each site;
    - (b) a draft document, which should include specifications for applicable zoning, building codes, environmental, safety, and health considerations, and other pertinent restrictions;
    - (c) alternative preliminary site plans showing different range layouts;
    - (d) a planning cost estimate; and
    - (e) a risk analysis report.
  - (2) Submit all environmental, zoning and building permit applications for approval. Be prepared, via the draft document, to present and, if necessary, defend the proposal at public hearings before zoning boards, health officials, and other governmental bodies involved in issuing permits.
- f. Final Design Stage.
- (1) The preliminary site plans include a layout of the proposed range with its accompanying safety fan in a cross section and top view.

- (2) The range master/manager, training manager, safety manager, industrial hygienist, appropriate operating personnel and public works engineer should review and approve the design requirements during the planning phase, before the construction drawings are started, and during the construction phase.

4. OUTDOOR RANGE DESIGN.

a. Site Selection.

- (1) Outdoor range sites should be remote from other activities but accessible by road. SDZs should not extend across traveled roads, navigable waterways, railroads, or other areas.
- (2) To protect against unauthorized access, SDZs should be controlled while firearms are being discharged. To prevent future encroachment, SDZs should be recorded on site maps.
- (3) If other methods to control access to SDZs are not effective, then the zones should be fenced in. Natural barriers around the site; e.g., rivers, hills or a large drainage channel may be used to prevent encroachment and will ensure privacy. The best site is one with a natural backstop for projectiles to reduce the cost of constructing earth impact berms and to provide natural sound abatement.
- (4) Outdoor ranges should be oriented to eliminate firing into the sun. The range should be oriented to the north or slightly to the northeast. The ideal direction is between due north and 25° northeast.

b. Range Planning.

- (1) Firing into upward sloping land and land with natural backstops of hills or mountains is recommended.
- (2) Firing platforms, access roads, and targets should be elevated above the flood level.
- (3) The line of fire in rough terrain should be perpendicular to high ground. The line of fire on flat terrain should be free of knolls, ridges, and trees that reduce visibility.
- (4) Known distance ranges should be as flat or evenly graded as possible. If the grade between the firing points and target does not exceed 2 percent, then the firing points may be below the target.
- (5) Roads used for setting and servicing targets in impact areas and for maintenance of earth berm may be graded pathways. Roads in areas not subject to disturbance; e.g., vehicle parking areas, and roadways behind

- firing lines or out of range of weapons, should be designed for anticipated vehicle weight and usage.
- (6) The ground between the targets and firing line should be free of any hardened surface (smooth-surfaced walkways excepted) such as rocks or other ricochet-producing material.
  - (7) The surface may be sodded or planted with low-growing ground cover.
  - (8) The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. For baffled ranges, the lateral slope should not exceed 2 percent because of the geometry of the baffle system.
  - (9) The overall size will be governed by the range distance and number of firing positions.
  - (10) Range distances from the firing line to the target are determined by the approved DOE qualification courses of fire for all weapons available for use by Protective Force (PF) personnel and by site-specific training courses of fire. The distances from the firing line to the target should be accurate to  $\pm 0.1$  percent. It is important that any inaccuracy in the firing line-to-target distance is a greater, rather than lesser, distance (e.g., 101 yards for a 100-yard range instead of 99 yards).
  - (11) Shooters should have secure footing.
- c. Surface Danger Zones. SDZs should be established to contain all projectiles and debris caused by firing ammunition and explosives (see Table 1). SDZ dimensions are dictated by the types of ammunition, types of targets, and types of firing activities allowed on the range. A basic SDZ consists of three parts: impact area, ricochet area, and secondary danger area (Figure 1). Figures 2 through 6 illustrate the application of the basic parts in the design of SDZs for various kinds of range activities.
- (1) The primary danger area established for the impact of all rounds extends  $5^\circ$  to either side of the left and right limits of fire and downrange to the maximum range of any ammunition to be used on the range.
  - (2) The ricochet area is  $5^\circ$  to either side of the impact area and extends downrange to the maximum range of any ammunition to be used on the range.
  - (3) The secondary danger area is that area paralleling, and 100 yards outside of, the outermost limits of the ricochet area and extending downrange to the maximum range of any ammunition to be used on the range.

- (4) Boundaries of SDZs must be posted with permanent signs warning persons of the danger of the live-fire range and prohibiting trespassing. The signs must be posted in a way that will ensure a person cannot enter the SDZ without seeing at least one legible sign (i.e., usually 200 yards distant or less).
  - (5) Limit of fire markers, both external and internal, must be placed to denote right and left limits of fire. Where cross firing is to be conducted, internal limit markers must be emplaced to denote internal right or left limits of fire from specific firing positions.
  - (6) Ranges may be located parallel to one another if in compliance with Figure 19 for separation.
  - (7) When there is insufficient distance to lay out a new range with the required SDZ or utilize other ammunition with a maximum range that does not exceed the SDZ, engineered or administrative controls can be used to control firing on that range. Permission to deviate from established SDZ requirements must be granted by the DOE cognizant security authority and supported by a safety risk analysis.
  - (8) Administrative controls such as use of the low-ready position or engineered controls such as muzzle traverse/elevation limiters can be used to control the firearm. Natural terrain such as a mountain or a hill provides an excellent backstop for firing. The terrain should be high enough to capture rounds fired at up to a maximum 15° muzzle elevation.
  - (9) To change the size and shape of an SDZ, baffles may be installed. Partial and full baffle systems consist of the following components: overhead baffles, a canopy shield over firing points, bullet impact berm, and side berms, sidewalls, or side baffles. A fully baffled range must be constructed so all direct fire can be contained within the range (see Figures 7 and 8).
- d. Support Facilities. Range planners should consider the site-specific need for the following range support facilities.
- (1) Targets.
  - (2) Target storage.
  - (3) Bunkers, trenches, and protective barriers for personnel protection.
  - (4) Range control towers.
  - (5) Toilets.
  - (6) Range poles, banners, markers, and signs.

- (7) Communication systems.
- (8) Access and range roads.
- (9) Parking areas.
- (10) Potable water.
- (11) Target maintenance.
- (12) Ammunition storage.
- (13) Power.
- (14) Sewer.
- (15) All other necessary utilities.

**Table 1. Maximum Range of Small Arms Ammunition**

<b>Maximum Range of Small Arms Ammunition</b>	
<b>Caliber</b>	<b>Maximum range of small arms ammunition (distance in meters/yards)</b>
.22 long rifle	1400/1531
.38 revolver	
Ball, M41	1600/1749
Ball PGU-12/8	1900/2077
.40 pistol	
Ball	1783/1950
JHP	1908/2086
Frangible	1000/1093
.45 pistol	1500/1640
.45 submachine gun	1600/1749
.357 magnum	2160/2362
9mm pistol	1740/1902
9mm submachine gun	1920/2099
.44 magnum	2290/2504
.50 machine gun	
Ball, M33	6500/7108
AP, M26	6100/6671
12 gauge shotgun, riot 00 buckshot	600/656
.30 rifle and machine gun	
Ball, M23	3100/3390
AP, M2	4400/4811
.30 carbine	2300/2515
5.56mm rifle	
Ball, M193	3100/3390
7.62mm rifle and machine gun	
Ball, M80	4100/4483
Match, M118	4800/5249
40mm	
M79	400/437
Mk-19 40mm	2200/2406

e. Design Criteria.(1) Firing Line Items. Provide the following components:

(a) Floor Surface. The surface should be smooth, firm, and graded to drain away from the targets. A slight side-to-side grade of 1 percent to 2 percent should be provided for storm water runoff. Transverse firing line grading should match target line transverse grading. The distance between the firing line(s) must be sufficient to support the type of training conducted. Firing lanes must be clearly marked on the surface to match the targets. Depending on the number of personnel to be supported and the funds available, the following surfaces should be considered:

- 1 ground firmly compacted with mown grass;
- 2 sand or fine gravel;
- 3 wood decking of sufficient thickness and support to prevent movement; and
- 4 concrete topped with appropriate cushioning material.

(b) Overhead Containment. On partially and fully baffled ranges, a ballistic canopy (see Figure 9) should be provided over all locations where a weapon may be expected to be discharged (firing line, by definition). Figure 9 represents one construction approach, but the canopy must contain the direct fire effects of the most energetic round fired on the range. This canopy should begin at least 3 feet behind the firing line. General structural requirements may dictate more distance. The canopy should extend forward a minimum distance of 13 feet minimum, which will work geometrically with the first overhead baffle to prevent a weapon from firing directly out of the range (see Figures 16 and 17). The canopy should be constructed of ballistic material with sacrificial cladding as described below. Sound reduction ceiling waffles should be considered. Weather roofing is required above the ballistic material and it must slope sufficiently to drain.

(2) Firing Point. The depth of the firing point is determined by the shooting activity; e.g., rifle firing requires more depth than pistol firing.

(a) The minimum depth of the firing point is the area required for the shooter, shooter's equipment, scorers, and range officers. For example, a pistol range might have a firing line approximately 6 to 10 feet deep, while a rifle range would have a firing line up to 20 feet deep. This variation is based on available space, type of

shooting, size of target frames and carriers, and the spacing of target frames or carriers.

- (b) For rifle ranges, each firing point should be 9 feet wide (see Figure 10). Firing lanes for pistols and shotguns should be 5 feet center to center (see Figure 11).
- (3) Ballistic Material. The purpose of this material is to absorb, deflect, or fragment projectiles. Material for baffles on partially and fully baffled ranges is shown in Figures 12 and 18. Wood that is used should be of middle grade exterior timber or plywood. Timber in contact with the ground must be pressure-treated for this purpose. Avoid exposed connectors if possible. Refer to Table 2, Thickness of Material for Positive Protection Against the Caliber of Ammunition Listed, for the thickness of various materials.
- (4) Sacrificial Cladding. Provide ¾-inch thick plywood with a ¼-inch air gap on any surfaces (baffles, wing walls, metal connectors, etc.) that are within 11 yards of the firing line to prevent back splatter.
- (5) Firing Line Cover Material. The firing line should be covered to protect the shooter and allow activities to be held regardless of the weather. On ranges with several firing lines, the cover is generally installed at the longest firing distance. The firing line covers described below are for shelter only and should not be confused with the ballistic firing line canopies required on baffled ranges. Material that can be used for firing line covers includes wood, concrete, steel, and plastic. Most covers are constructed from wood products and are a shed or gable roof design. In some cases, corrugated metal or fiberglass roofing material can actually increase sound levels at the firing line and in areas around the range. Therefore, to reduce noise, corrugated metal or fiberglass roofing material should not be used unless it is acoustically treated. The structure should be designed to include the following:
  - (a) The shed roof should have a 6-inch cavity filled with fiberglass insulation (or equivalent) and be enclosed on the bottom with ¾-inch plywood or insulation board. Although this will not provide a completely effective sound barrier, sound waves will strike and penetrate the inside layer of plywood, and the sound will be reduced;
  - (b) A plywood shed roof should have a 6-inch hollow core enclosed with a small grid mesh screen and a six-mil polymer barrier to retain the insulation. The intervening space should be filled with blown-in insulation to trap sound waves and reduce the drum effect of an open roof; and

- (c) A gable roof has a large hollow area above the joists; however, additional sound damping materials should be installed to reduce the drum effect and the sound pressure level as they are reflected onto the firing line area. The underside of the roof surface will require a minimum of 4 inches of insulation to fill in between the rafters and a minimum of 3 inches of insulation above the ceiling and between the joists. This will reduce the drum effect caused when sound waves strike surface material (e.g., corrugated metal) and will absorb a portion of the reflected sound waves.
- (6) Surface Material. Positions should be hard-surfaced (e.g., concrete, gravel, wood, asphalt, or sod).
  - (a) For ranges where prone shooting is conducted, gravel or similar materials may cause difficulty for the shooter. When the surface material is concrete or asphalt, shooting mats or padding will be required when the kneeling or prone positions are used.
  - (b) For ranges with multiple firing lines, hard-surfaced firing lines located downrange of another firing line should be recessed or shielded from bullet impact to avoid ricochets off exposed edges.
- (7) Landscaping. The site should be landscaped to provide for erosion control, noise abatement, maintenance, appearance, fire protection, and safety.

NOTE: Any landscaping will complicate the removal of lead in the berms, especially on impact surfaces, and will create higher maintenance costs.

- (a) Berms should be planted with grass to prevent erosion. Ground cover is acceptable on existing berms that have been maintained and where erosion is not a problem.
- (b) When grass is selected as a ground cover, it should be appropriate for the geographic area and should readily grow and provide good coverage. The degree of shading caused by overhead baffles will determine the type of grass for the range floor. Use grasses and cover for earth berms that will not be accessed by moving equipment so that natural growth heights will be acceptable. In areas where the soil is poor or extremely sandy, plants such as Bermuda grass, ice plant, or vine root can be used to control soil erosion.
- (c) Heavy landscaping may be used to cut down on noise transmission. Plants and trees may be planted behind the firing position shelters to alleviate noise transmission problems.

Soundproofing the firing line structures should be considered in problem areas. Trees should be kept away from firing lines to allow range control officers to see all shooters.

- (d) For windbreaks, trees may be planted along the length of the range with partial side berms or wing walls where strong prevailing crosswinds are problems to shooting accuracy.
  - (e) Densely planted rows of fast-growing, compact, and thorny shrubs may be planted below the trees at ranges with partial berms or wing walls to abate noise, prevent encroachment, and alleviate crosswind problems.
- (8) Target Line and Mechanisms. Components must be as follows:
- (a) The target line should be a minimum of 30 feet from the toe of the impact berm. The distance between targets must be the same as the distance between firing positions.
  - (b) Target line bases must match grading with the firing line. Mechanical target support bases must be protected from the direct line of fire. They may be buried flush with the ground or placed behind a protective wall. Note that a small raised earth berm at this location generates significant ricochet. The complexity of the mechanism will dictate the protection requirement. See Figure 13 for wall or trench protection of high cost target line mechanisms.
  - (c) Target supports can be made of steel angles and channels, PVC pipe or wood. Do not use metal parts within 33 feet of the firing line where direct fire strikes are anticipated. Discharging weapons close to metal surfaces is extremely dangerous. Present the smallest surface area that is structurally sound to the line of fire to minimize ricochet. Design the target holders for easy and inexpensive replacement. Portable, self-supporting 2- by 4-inch wood frames or 2-inch by 2-inch wood plank placed into buried PVC pipe work well on simple ranges. The full face of the target must be visible to the shooter.
  - (d) Turning targets and the display time are at the discretion of the user. Commercially available, electrically motorized target carrier and electronic scoring systems should be considered where economically feasible.
  - (e) On open ranges, a single target line with multiple firing lines is preferred. On partially or fully baffled ranges, in most instances, a single firing line with multiple target lines will produce the most cost-effective range because of the firing line canopy. An

extremely advanced target mechanism may be significantly more expensive than multiple canopies.

- (9) Impact Structures. The structure varies depending on the type of range. Natural terrain such as a mountain, cliff, or steep hill may be incorporated into impact structures provided the completed structure complies with the minimum design requirements. Acceptable structures by range type are listed below.
- (a) For open ranges, the top elevation of the earth impact berm should be 26 feet above the range surface for ranges 100 yards long or longer and 16 feet above the range surface for ranges 50 yards long or less. The impact berm should extend 50 yards beyond where the target line ends for 100-yard-long ranges or until joining with the side containment, if provided for ranges 50 yards long or less.
  - (b) The suggested elevation may be met by designing a combination of earth berm and vertical baffle (see Figure 14). The earth berm portion should have a top elevation of 16 feet above the surface of the range. The vertical baffle should be constructed of ballistic material and designed to withstand local seismic and wind loads. This combination arrangement would reduce the footprint and the amount of material in the earth berm.
  - (c) The preferred slope of the impact berm face is 1 to 1 or steeper. The steeper the slope, the more likely the berm is to absorb projectiles. The top should be 10 feet wide. The impact slope should be constructed with a 3-foot layer of easily filtered soil (to reclaim the lead projectiles) free of boulders, trees, rocks, stones, or other material that will cause ricochet. The rear slope should be appropriate to the native soil and maintenance requirements.
  - (d) For partially and fully baffled ranges, the top elevation of the impact structure will vary depending on the overhead baffle and impact structure arrangement. The impact structure for a partially baffled range can be: standard impact berm, bullet trap, or hybrid. For fully baffled ranges, the impact structure must be a bullet trap. In all instances, the impact structure must connect to the side containment. The top of the berm should be at an elevation 5 feet above the point where the highest line of direct fire can strike the berm.
  - (e) Outdoor baffled bullet stops can be constructed by placing the last vertical overhead baffle over the last target line and placing a sloped baffle to connect from the top of the earth berm to the back of the last vertical baffle. The bottom of this lower-sloped overhead baffle should be 2 feet above the highest point on the

berm where direct fire might strike. See Figure 15 for material and construction details. Rainfall runoff from the sloped baffle onto the berm must be considered. (See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.)

- (10) **Side Containment.** For partially and fully baffled ranges (Figures 7 and 8), the top elevation of the side containment must geometrically mate with the overhead baffles to be high enough to prevent any direct fire from exiting the range. Full-side height containment should extend 3 feet to the rear of the firing line. Locate the side containment at least 10 feet outside of the centerline of the outermost firing lane. Construction may be in the following forms.
- (a) **Earth Berm.** Construct earth berms to an inside slope of 1 to 1.5. If native soil characteristics will not produce a stable slope at this angle, provide geotechnical fabric reinforcement in the fill. The top width of the berm should be at least 10 feet. No rocks are permitted in the top 3 feet of the inside surface. Generally, earth berms cannot be used on partially or fully baffled ranges; however, earth berms are permissible if the firing range is small and the overhead baffle and berm geometry intercept ricochets.
  - (b) **Continuous Walls.** Construct continuous walls of ballistic material to withstand local wind and seismic loads. Provide sacrificial cladding to 13 feet forward of the firing line and 3 feet behind the firing line. Continuous walls are preferred for fully baffled ranges.

**Table 2. Thickness of Material for Positive Protection Against the Caliber of Ammunition Listed**

Cover material	Caliber and thickness required to stop penetration		
	5.56 mm	7.62 mm and Cal. 30	Cal. 50
Concrete (5,000 lbf/in <sup>2</sup> )	5 inches	7 inches	12 inches
Gravel-filled concrete masonry units	8 inches	12 inches	24 inches
Broken stone	14 inches	20 inches	30 inches
Dry sand	16 inches	24 inches	32 inches
Wet sand	25 inches	36 inches	48 inches
Oak logs (wired)	28 inches	40 inches	56 inches
Earth			
Packed or tamped	32 inches	48 inches	60 inches
Undisturbed compact	35 inches	52 inches	66 inches
Freshly turned	38 inches	56 inches	72 inches
Plastic clay	44 inches	65 inches	100 inches

NOTE: Figures are based on new material. Degradation may occur over time.

- (c) **Wing Walls.** Wing walls (side baffles) are discontinuous side protection set at 45° to the line of fire. Locate the wing walls so that they are overlapped by 6 inches based on any line of fire that may strike them. Construct the wing walls of ballistic material to

withstand wind and seismic loads. Additionally, provide sacrificial cladding on wing walls closer than 30 feet to the firing line.

- (d) End Walls. End walls may be constructed at the firing lane edge on the firing line in lieu of extending side containment 3 feet behind the firing line. Walls should be long enough to close off any line of sight between the end of the side containment and the rear 3 feet mark. The end walls should be constructed of ballistic material with sacrificial cladding extending from the canopy to the firing line surface.
- (11) Overhead Baffles. Overhead baffles must be located so that no direct fire can exit the range from any firing position. The first overhead baffle must be geometrically coordinated with the firing line ballistic canopy (see Figure 9). The elevation of the top of each succeeding baffle should be 6 inches higher than a line of fire that just clears beneath each preceding baffle (see Figure 16). Overhead baffles should be the same height and spaced apart down range to achieve the required geometry (see Figure 17). The last baffle should be placed so the line of fire will strike the impact structure no higher than 5 feet below the top elevation of the structure. On a fully baffled range, the last overhead baffle must be over the last target line.
- (a) On partially baffled ranges, overhead baffles must extend laterally to within 1 foot of the side containment. On fully baffled ranges, the overhead baffle must tie into the side containment.
  - (b) The vertical dimension of an overhead baffle when it is vertical varies with the number and spacing of the baffles. Normally, the height is between 5 and 8 feet when considering structural support size and costs.
  - (c) The baffles must be constructed of ballistic material. Baffles within 11 yards of the firing line should be covered with sacrificial cladding. See Figures 12 and 18 for possible configurations.
  - (d) Space the structural columns as far apart laterally as possible to open firing lanes. If possible, do not construct columns within the range. Design columns or beams to withstand local wind and seismic loads, and provide protective steel plate on the faces of the columns exposed to the firing line in accordance with Figures 12 and 18. Provide sacrificial cladding if the column is within 10 yards of the firing line. Overhead baffles may be placed on a flatter slope and overlapped to function as firing line canopies if multiple firing lines are to be used (see Figure 17). This arrangement is cost-effective for baffled combat lanes.

5. INDOOR RANGE DESIGN.

a. Use of Indoor Ranges.

- (1) Indoor ranges must be designed so projectiles cannot penetrate the walls, floor or ceiling, and ricochets or back splatter cannot harm range users. Considerations should be made for cleaning of all surfaces and handling of hazardous wastes.
- (2) Lead exposure requirements must be reviewed for applicability.

b. Site Selection.

- (1) Walls and Partitions. Indoor ranges must incorporate walls and partitions capable of stopping all projectiles fired on the range by containing or redirecting bullets to the backstop.
- (2) Existing Buildings. If there are existing drawings of the facility, copies should be obtained from the original owner, architect, engineer, builder, or building permit. If original drawings of the building are not available, a sketch can be made of each floor of the building with a special emphasis on the load-bearing walls. The following considerations should be used when making the initial evaluation of an existing building.

(a) General Construction. Buildings constructed of wood products should be avoided. Modifications to reinforce the structure to support metal backstops or to reduce fire hazards may not be cost-effective.

(b) Exterior Walls. The type of exterior wall construction (e.g., masonry, wood, concrete, metal, combination, other) should be identified. Masonry buildings should be given primary consideration, especially those constructed on concrete slabs.

(c) Floors, Walls, and Ceilings. Floors, walls, and ceilings must be able to contain the sound in addition to the bullet fired.

1 The ideal wall is made of poured concrete a minimum of 6 inches thick.

2 To aid in range cleaning, concrete floors should be finished so they have a nonporous surface.

3 Ceilings should be 8 feet high and enclosed to reduce air turbulence created by ventilation systems.

4 Evaluate the structural support designs of older buildings for their ability to withstand new loading. Original design

considerations usually do not allow for installing heavy backstops and other range equipment.

- 5 To decide if modifications are necessary, slab buildings must be analyzed carefully to determine the capacity for floor loading. If there are no floor drains and it is economically feasible, modifications should also include adding one or more floor drains.
  - 6 Ceiling joists may require strengthening to support baffles and shielding material.
- (d) Electrical. Electrical needs may require the installation of heavy-duty wiring both internally and externally to accommodate the added power needs of range ventilation, heating, lighting, and target-carrier mechanisms.
  - (e) Plumbing. Plumbing does not usually require major modifications; however, heavy metals may be prohibited from area wastewater treatment collection systems. Therefore, an approved filtration system may be necessary for disposal of hazardous waste material; e.g., lead.
- (3) Precast Buildings.
- (a) Precast concrete companies can provide complete precast buildings (job site-delivered) if engineering specifications for steel placement are provided on a set of plans (drawings) for the proposed building.
  - (b) Precast assembly allows for installation of a roof design more suitable for an indoor range. Gabled or hip roof designs should not be used.
  - (c) Hollow, precast concrete panels provide an option to bar joists, eliminating bullet ricochet or splatter. A flat bar joist design is the recommended alternative to hollow, precast concrete panels.
  - (d) The flat roof design also provides support for heating, ventilating, and air conditioning (HVAC) equipment outside of the range, which saves space and reduces cost.
- (4) New Construction. New indoor construction projects require the same guidelines as existing buildings; however, they offer the advantage of building a structure specifically for use as an indoor shooting range.

- c. Range Planning. Design work for ventilation, wall structures, floors, ceiling, acoustics, backstops, and lighting will depend on how the range will be used.
- (1) A determination for the type of building required includes the following considerations.
    - (a) Can the range be built in an existing building or is a new one required?
    - (b) How large should it be?
    - (c) How many shooters will it be expected to serve?
    - (d) Will it be used for competition?
    - (e) Should space be allowed for classrooms?
    - (f) How much will the facility cost?
  - (2) The planning process should include:
    - (a) obtaining ordinances, zoning regulations, building codes, soil conservation regulations and other information pertaining to legal requirements;
    - (b) for evaluation, identifying a site for a new building or several existing buildings that may have the suitable design characteristics; and
    - (c) gathering other technical information relevant to the project. This information includes zoning requirements, onsite information, and range design criteria. Local zoning codes or health department regulations normally will provide answers or solutions on how the project is to be handled.
- d. Design Criteria. Based on the site selected, type of shooting, number of users, and site layout, the next step is to design the facility by preparing detailed drawings showing specifications and necessary dimensions. The four main considerations for indoor ranges are shooter needs, type of shooting activity, number of firing points, and number of users. Special consideration should be given to ventilation, lighting, safety baffles, and backstop design. The following standard and optional features for indoor ranges should be considered.
- (1) Backstops and Outdoor Baffled Bullet Stops. See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.

- (a) The design of a backstop or baffled bullet stop is a contributing factor to the service life of the unit. Steel should be installed according to the type of ammunition to be used and to proven angle configurations.
- (b) The design criteria should be based on the planned use of the facility. Metal plates selected for use in a backstop or baffled bullet stops must resist repeated stress according to the degree of stress applied. Necessary characteristics are resistance to abrasion, resistance to penetration, surface hardness, thickness, and alloyed strength to resist metal fatigue.
- (c) The main backstop is generally a fabricated steel plate or series of plates used to stop bullets fired on a range. Backstop configurations and plate thickness will change according to type of shooting activity.
- (d) Steel backstops with sand or water pits are common; however, a few indoor ranges use earthen or sand backstops.

CAUTION: Earthen or sand-filled backstops are not recommended because they can create health hazards for maintenance workers from silica and lead dust. They also cause excessive wear on ventilation fans.

- (e) Backstops must extend from side to side and from ceiling to floor to protect the end of the range completely from penetration by direct bullet strike and prevent ricochets, back splatter, and splatter erosion of side walls.
- (f) Four basic backstop designs are used for indoor ranges: Venetian blind, escalator, Lead-a-lator<sup>®</sup>, and the angled backstop (45°) back plate. Other backstop designs exist and should be researched for applicable use.

1 Venetian Blind Backstop. Requires less space, but without proper installation and regular maintenance it can cause back splatter problems from exposed edges of each main segment of the backstop. Keeping the exposed edges ground to original specifications is time-consuming, difficult, and requires skilled personnel.

- a To control back splatter, a curtain should be hung in front of the backstop. Tests have been conducted on materials including canvas, burlap, cardboard, insulation board, and synthetic rubber. Properly installed, these materials effectively stop back

splatter. Walls using insulation board or a synthetic rubber curtain are best.

- b The main advantage of the venetian blind backstop is minimal space requirements. While an angled plate or an escalator will use 14 feet of space, the venetian blind uses only 5 feet.

2 Escalator Backstop. Sets up with flat steel plates laid out on a framework sloping away from the shooter. Between each series of plates, an offset allows a bullet sliding down the facing surface to drop into a hidden tray for easy cleanup. At the top or back of the backstop, a swirl chamber is provided to trap the bullets or bullet fragments as they exit the backstop surface. Once the bullet's flight ends in a spin-out chamber, the bullet or pieces fall into a cleanup tray.

3 Lead-a-lator<sup>®</sup>. A variation of the escalator-type backstop that uses a curved instead of flat piece of steel. The surface is concave and operates so that a bullet will follow the contour of the surface into a dry lead spinout chamber where it is trapped.

4 Angled Backstop (or 45° Inclined Plates). Uses a sand or water trap and has been the traditional alternative for indoor ranges.

- a The angle of the plate should never exceed 45° from the ground. The 45° plate and pit backstop is relatively inexpensive, but there are several disadvantages. Sand traps require frequent cleaning to remove bullet fragments. Cleaning operations require workers to wear high-efficiency particulate air (HEPA) filter masks if material is removed dry. It is best to dampen the sand trap material before and during cleaning operations to eliminate dust. To maintain a healthier internal environment, frequent removal, disposal, and replacement of lead-laden sand is required. The surface should be continually raked to keep the sand level and to guard against splatter as lead buildup occurs.

- b The cleaning operations are easier when a water trap is used. However, a water trap requires chlorine and other chemicals to retard algae growth and antifreeze in colder months to prevent freezing.

Installing a water pit requires a different approach to foundations and footings, especially in areas affected by earthquakes or freezing.

- (2) General Range Cleaning. Both dry and wet methods can be used to clean the range. The method selected depends on the frequency of use. The wet method is preferred when floor drains are available, and keeping materials wet during cleaning operations reduces or eliminates release of microscopic dust particles. When dry methods must be used, workers must use the appropriate personal protective equipment (PPE) that has been established by local industrial hygiene personnel. After cleaning operations are complete, workers must shower and have work clothing laundered.
- (3) Backstop Steel Plate Specifications.
  - (a) Steel plates supported by concrete or masonry should be anchored by expansion bolts or toggle bolts, as suitable for construction, with flush countersunk heads not more than 12 inches on center of all edges of each plate. Joints and edge lines should be backed with continuous ½-inch thick plate no less than 4 inches wide. Bolts should pierce both the facing and back plates. Expansion bolts should penetrate concrete not less than 2 inches. Steel plates must have milled edges at all joints.
  - (b) Joints must be butted flush and smooth. After the plates are erected, they must not have any buckles or waves. Exposed edges must be beveled at 42° to a fillet approximately ½-inch thick. There must be no horizontal joints in any steel plate work.
  - (c) Welding must meet the American Welding Society code for welding in building construction. Steel plates joined at, and supported on, structural steel supports must be spot-welded to steel supports not more than 6 inches on center.
- (4) Baffles, Deflectors, and Shields. Baffles on indoor ranges protect lighting fixtures, HVAC ducts, ceilings, and target carrier apparatus. Baffles are designed to protect against the occasional errant bullet but not for repeated bullet strikes.
  - (a) To cover or protect vulnerable ceiling areas or range fixtures, baffles must extend the entire width of the range and downward. Spacing of baffles on a 50 to 75 foot range depends on the ceiling design. Range distance (firing line to target line) and height are factors. Ceilings must be impenetrable.

- (b) Baffles or deflector plates must be used when modifying an existing building, especially in a building constructed of wood. This will prevent bullets from escaping or penetrating. Baffles should be a minimum of 10-gauge steel covered with a minimum of 1 inch of soft wood to prevent back splatter. The wood traps the projectile, whereas bare steel redirects it downward into the range area. A wood surface must be applied to overhead baffles, because ranges with untreated baffles usually show significant damage to concrete floors and often complete penetration through wood floors.
- (c) Baffles should be installed at a 25° angle as measured from the horizontal plane of the ceiling. The baffle size and placement depends on what surface areas require protection. For example, ceiling baffles are wider than side baffles.
- (d) Unlike baffles, deflectors are installed vertically and horizontally to redirect wide-angle shots into the backstop area. Deflector shields protect pilasters, leading edges of sand traps, bottom edges of backstops, doorways, windows, ventilation registers along the wall, etc. Deflectors are not covered with wood generally, but may be. These devices are also installed at a 25° angle either to the wall surface or floor.
- (e) To protect ceiling areas, special impenetrable shields are installed above the firing line, especially in wood frame buildings.
  - 1 Shields should extend the entire width of the range and 12 feet forward of the firing line. Floor shields may be required on wood floors.
  - 2 Shields must be constructed from metal sheets according to planned use. For example, 10-gauge steel covered with a minimum of 1 inch of soft wood is effective in stopping most pistol calibers.
- (5) Floors, Walls, and Ceilings. Indoor range facility floors, walls, and ceilings must be impenetrable; therefore, an existing building must have a structural analysis to determine loading factors that may exceed original design specifications. Wooden buildings may require modifications to support the increased weight. Specifications for new construction call for either poured-in-place concrete, pre-cast concrete, or dense masonry block. Solid cinder block should be used in place of hollow-core block. Specifications for modifying existing buildings call for adding additional materials to prevent bullet escape, which can be done with wood and steel laminated shields. Laminated shields can be constructed onsite by placing sheet-steel or steel plates between two sheets of ¾-inch plywood. While

this method is more expensive than the extended booth design, it allows for an open firing line and better visibility for the range officer. Walls should be treated beginning 3 feet to the rear of, and extending forward of, the firing line until all vulnerable surfaces are protected. Acoustical material should be applied to the surfaces to aid in sound control.

- (a) Floors. The range floor should be constructed by using a single pour and a fine, uniform-aggregate mix of concrete. Reinforcement should be No. 4 steel rods placed 12 inches on center along with 6- by 6-inch 8/8-gauge welded wire fabric. This may vary according to soil conditions. Very large floor areas may require two or more pours with expansion joints between each slab.
- 1 The floor should be designed to slope down toward the target line, beginning at the firing line, ¼-inch per foot.
  - 2 The floor should be no less than 4 inches thick.
  - 3 Floor size is governed by design. Larger size will result in higher costs for ventilation, lighting, heating, and overall building design. The decisions should be based on expected number of users versus overall cost.
- (b) Floor Guards. Floor guards are provided to protect leading edges or protrusions; e.g., drains, traps or other protrusions from the floor area. Floor guards are designed to redirect errant bullets into the backstop area, which minimizes range damage.
- 1 Floor guards are constructed from 10-gauge steel and may be covered with wood.
  - 2 Floor guards are installed horizontally along the floor surface parallel to the firing line.
  - 3 Floor guards typically slope away from the firing line at a 25° angle to the horizontal.
  - 4 Floor guards should extend only as high as necessary to protect exposed surfaces.
- (c) Floor Drains. Floor drains should be constructed of cast iron soil pipe. The drain pipe should be attached to a lateral drain located 1 foot forward of the backstop floor guard. The drain pipe must lead to a filtration system approved by the cognizant environmental, safety, and health organization on the site.

- (d) Walls. Poured concrete or masonry is preferred for wall construction, but wood may be used. Wall thickness must conform to acceptable engineering standards and comply with Federal, State, county and local zoning codes. Usually, no less than 3-inch thick, reinforced walls should be constructed to prevent the exit of any projectiles.  
  
NOTE: This specification usually requires the use of steel or similar material where wooden walls are used. The size depends on building design, geological conditions, and climate. Size includes the height, thickness, and length of the running wall.
- (e) Ceiling. Ceiling material should reduce sound, protect lighting devices, reflect light and be impenetrable. Typically, ceilings include 10-gauge steel baffles, 2- by 4-foot white acoustic panels, and clear-light panels.
  - 1 The ceiling should be a minimum of 8 feet above the floor level and have an acoustically treated, smooth surface to allow for positive air movement downrange.
  - 2 Baffles to protect adjoining areas should be above a false ceiling or designed into the roof/ceiling structure.
- (6) Shooting Booths. Commercial or locally built shooting booths may be desirable on pistol ranges; however, they are not recommended for rifle ranges. Shooting booth panels can provide an impenetrable barrier between shooters, reduce sound levels, restrict the travel of brass, and act as a spray shield when revolvers are used.
  - (a) Shooting booths should be omitted for ranges that use only rifles.
  - (b) A shooting booth should never extend more than 18 inches behind the firing line because greater extension may obstruct the range control officer's visibility.
  - (c) Bullets fired from any firearm used on the range must not be able to penetrate booth panels. The booth panel must be able to withstand the impact of a bullet fired at any angle to the surface and at point-blank range.
  - (d) Design criteria for the construction of booth panels are as follows:
    - 1 Cover the 10-gauge steel plate with a nominal 2 inches of soft wood. In a series of tests using 10-gauge steel plate, firing all lead bullets at right angles, the plate covered with a nominal 2 inches of soft wood withstood direct hits from

- all standard pistol calibers up to, and including, .44 caliber magnum;
- 2 Use special acoustical materials to ensure that panels reduce muzzle blast effects on all shooters and range personnel;
  - 3 Ensure that panels do not restrict airflow;
  - 4 Ensure that panels do not restrict the range officer's visibility of the firing line; and
  - 5 Construct panels so they extend from the floor to a minimum height of 6 feet. Panels should be ceiling height.
- (7) Target Carriers and Turning Mechanisms. An indoor range can be operated more efficiently and safely by installing a target transport system. This system may be a simple, hand-made device or a completely automatic, electrically powered system. Either one will enhance safety by eliminating the need to walk downrange to replace targets. Target carrier systems speed up range operations. A turning target mechanism is available that faces the target parallel to the line of sight and then turns the target 90° to the line of sight to begin the stated time period. The target carriers should position the targets in the approximate center of the backstop.
- (8) Control Booth. Range control booths must allow for maximum visibility and provide for easy access into and out of the range and ready area. The control booth should provide seclusion from and immediate access to the range environment. This design protects the range officer from frequent exposure to high sound levels and lead emissions.
- (9) Communications. A communications system capable of relaying range commands distinct and separate from the sounds generated by shooting activities is required. Communications systems must account for shooters who wear two pairs of hearing protectors and persons who have substantial hearing loss.
- (10) Ventilation and Filtering Systems. This section deals with the design or redesign of ventilation systems for indoor firing ranges. Administrative or engineering controls must be instituted to prevent shooters from being exposed to airborne lead levels exceeding acceptable limits. Administrative controls are used either when engineering controls fail to reduce exposure or when range use exceeds HVAC system specifications. Administrative controls are especially applicable to reducing risks on existing ranges.

- (a) Administrative controls used to reduce exposure levels on an indoor range must be rigidly followed and enforced, and compliance must be recorded in a log book for purposes of analysis and reference.
  - (b) The following administrative controls are provided and must be used where individuals are frequently exposed to airborne lead.
    - 1 Provide range maintenance personnel with appropriate PPE; e.g., safety glasses and respirators.
    - 2 Provide proper HEPA filter cleaning equipment. The equipment must be able to remove accumulated lead dust from floors, walls, and ledges and must include attachments capable of removing lead-laden sand from the backstop area.
  - (c) A ventilation system must be installed that will provide clean air in the user's breathing zone to reduce exposure to potentially dangerous materials to safe levels.
  - (d) Adopt administrative controls that monitor and control exposure time for a given user and/or assigned range personnel.
- (11) Lighting.
- (a) A visually safe facility should be free of excessive glare and major differences in light levels. Therefore, floors and ceilings should be designed to provide light reflection. In the event of a power outage, battery-powered emergency lighting must be provided for emergency exits.
  - (b) Rheostat-controlled lighting fixtures, which can reproduce near-daylight and low-light conditions, are best suited for indoor ranges. Range lighting involves three systems: general lighting, local lighting, and semi-direct lighting.
    - 1 General lighting provides uniform light levels over the entire range area and adjoining areas and is usually installed in a symmetrical arrangement to blend with the architecture.
    - 2 Local lighting supplements general lighting along the firing line to provide better visibility for those tasks associated with the loading and firing of firearms.
    - 3 Semi-direct lighting distribution directs 60 to 90 percent of the lighting on the target with a small upward component to

reflect from the ceiling and walls to soften shadows and generally improve range brightness. When ceilings are white, lighting fixtures mounted too close together create excessive glare.

- (c) Lamp specifications for general lighting must be adjustable to provide 0.2 to 50 foot-candles of luminance measured at a point 7 yards from the target line. Local lighting should produce 0.2 to 60 foot-candles of luminance on the firing line. Semi-direct lighting on the targets should achieve 0.2 to 100 foot-candles of luminance. Glare should be reduced or eliminated by incorporating pastel colors in the interior design.
  - (d) Lighting designs should also seek to balance the color of light emissions. For example, most fluorescent fixtures produce high levels of blue, which alone are not suitable for indoor ranges. If fluorescent fixtures are used, green tubes or other light sources should be installed to balance the colors.
- (12) Plumbing. Plumbing requirements specify that there must be a fresh water supply for personal hygiene and for range cleaning chores. There also must be a waste removal system for normal waste material and material removed from the range. An approved filtration system must be provided for range cleaning waste. Floor drains should be connected to this alternate waste system. Restrooms, showers, and sinks should be connected to a regular sewer system.
- (13) Sound Control. Sound control on indoor ranges includes two distinct components: airborne and structure-borne sound. For airborne sound, all leaks into outer areas should be sealed, which includes airtight insulation around doors, windows, HVAC ducts, walls, and ceilings. Structure-borne sound reduction is necessary to protect adjoining, occupied rooms. Acoustical material should be applied to walls, HVAC ducts, floor, and ceiling areas.
- (14) Range Control. Range control provides rules and supervision that encourage safe and proper use of a range. Safety devices control the physical use of an indoor range and may include warning lights, alarm bells, switch locations, etc. For example, an indoor range with a door in the downrange area should be equipped with an alarm. The door could also be secured by a mortise lock or barred from within but must remain a fire exit. Fire codes generally prohibit bars on doors that would delay escape from a building. Emergency personnel must be able to access the doors. Any door that can be accessed from the outside must be marked with warning devices to indicate when the range is in use. When installing doors on indoor ranges, refer to Life Safety Code National Fire Protection Association (NFPA) 101.

- (15) Target Carriers. Target carriers are used for the convenience of shooters to allow them to continue shooting without delay when target changes are necessary. For health considerations, target carriers keep shooters out of the high lead concentration areas and safely behind the firing line.
- (16) Heaters. Protected heating units should be installed behind and above the firing position to provide a comfort zone for shooters.
- (17) Gun Racks. Gun racks should be mounted behind the firing positions as an additional safety feature to reduce gun handling and to keep the range areas orderly. Appropriate material should be used to construct the gun racks, and the design must correspond to the weapons being used.

6. LIVE FIRE SHOOT HOUSE.

a. Introduction.

- (1) A live fire shoot house (LFSH) is intended for use in advanced tactical training for Security Police Officers. Use of this facility includes individual tactics or Special Response Team force option training. All LFSHs must have an elevated observation control platform (EOCP). The following sections illustrate recognized construction methods for LFSHs. However, they do not eliminate the requirement for sound professional engineering design and validation.
- (2) Administrative controls not directly related to design and construction must be in place during facility use. The administrative controls and engineering design allow for a reduction in physical barriers that prevent rounds from escaping the facility. Designed barriers must prevent a round fired with a vertical upward error of 15° from escaping the facility.

b. Site Selection.

- (1) Site selection for an LFSH is similar to that for any range facility. Terrain features, noise, and availability of utilities and access roads must be considered, as already discussed in previous sections for indoor and outdoor ranges. The LFSH should be placed adjacent to other range facilities whenever possible so that it may utilize the same support facilities, access roads, etc.
- (2) Facility design, target and shooter placement, and other administrative controls minimize the possibility of rounds being fired over the top of the walls and leaving the structure and mitigate the need for an SDZ outside the confines of the LFSH proper.

c. Design and Layout.

- (1) The interior layout of the facility is based on the mission and training requirements of the site. Facility design should incorporate a wide variety of room configurations. Some of the room configurations that should be considered are: multiple floors, an L-shaped room, stairwells, rooms within a room, hallways, and closets.
- (2) The floor plan design should accommodate the movement of target systems, bullet traps, and other equipment into and out of the LFSH.
- (3) Exposure to airborne contaminants for a fully enclosed LFSH must be controlled by adequate ventilation. The lighting requirements are similar to those for indoor ranges.

d. Wall Construction.

- (1) Wall Height. Exterior walls of the LFSH must be designed to absorb the most energetic projectile identified for use within the facility. Wall height must be a minimum of 8 feet. The wall height should allow a maximum error angle of 15° from horizontal standing shooting distance from the target and still enable a projectile to be contained by the wall, which can be described by the following equation: Wall Height is equal to the muzzle height plus 0.27 (tangent 15°) times the target distance. The following table assumes a muzzle height of 5 feet.

<u>Distance from Muzzle to Ballistic Wall (Feet)</u>	<u>Wall Height (Feet)</u>
11' 1"	8' 0"
13' 3"	8' 6"
14' 10"	9' 0"
17' 0"	9' 6"
18' 6"	10' 0"
20' 9"	10' 6"
22' 2"	11' 0"
24' 5"	11' 6"
25' 11"	12' 0"

If the distance from muzzle to ballistic wall exceeds the required wall height, other administrative, engineering or natural ballistic wall controls must be administered or considered such as shooter-to-instructor ratio, canopies, baffles, natural terrain, existing SDZ, standard operating procedures, and training.

- (2) Ballistic Walls. Ballistic interior walls are the preferred method of construction. Where non-ballistic interior walls are used, additional administrative controls must be applied to target placement and team

choreography. Ballistic walls are required in all cases where containment of the round and protection of personnel is paramount.

- (a) Footings. Footings must be designed using the engineering criteria that best ensures structural integrity and stability of wall construction.
- (b) Composite Walls.
  - 1 A combination of ¼-inch exterior grade plywood and steel is effective. Minimum thickness will be ¼-inch mild steel with an exterior-grade plywood separated by a minimum of ¼ inch with a maximum of 1½ inches from the steel surface.
  - 2 Other combinations are possible. The main criterion is that the wall must stop any round fired and contain bullet fragments.
- (3) Non-Ballistic Walls. These walls are constructed of materials that offer no protection to personnel or equipment in adjoining rooms. Material used for these walls must not contribute to or enhance ricochet or splatter. Additional administrative controls must be applied such as target placement and team choreography.
- e. Doors. All doors must be constructed of wood with no glass. Additionally, at least a portion of the rooms must have working doors, some opening inward, some opening outward, and doors opening left and right.

NOTE: All devices in the LFSH, such as brackets and hangers, used to secure walls to floors or secure doors must be covered or protected to mitigate any tripping or ricochet hazards.
- f. Ceiling or Roofs. Ceilings or roofs can be of value when the shoot house is required for year-round use in areas with severe weather conditions. Exposure to airborne contaminants must be controlled by adequate ventilation. The lighting requirements for fully enclosed shoot houses are similar to those for indoor ranges. When training exercises require target placement above the wall design, the ceiling or roof must be protected unless firing into an approved SDZ.
- g. Floors.
  - (1) Floor construction must be selected for its ability to absorb direct fire, minimize ricochets, and provide a walking surface free of slipping/tripping hazards. Floors should provide the same ricochet protection as walls. Options include:

- (a) exterior-grade plywood floor constructed in accordance with American Plywood Association guidelines over smooth finished concrete;
    - (b) concrete with brushed surface that minimizes slip and tripping hazards;
    - (c) asphalt;
    - (d) exterior-grade plywood;
    - (e) shredded bias-ply tires; and
    - (f) earth, free of rocks and debris that could cause ricochet.
  - (2) Construction joints between walls and floors must be designed to contain projectiles within the LFSH.
- h. Bullet Traps.
  - (1) General Information.
    - (a) Targets used in LFSHs must be placed so that fire is directed into a bullet trap designed to capture the rounds.
    - (b) Bullet traps must be constructed to contain the most energetic projectile to be fired into them without dimpling/pitting the steel and contain splatter and fragments in all directions. The size and shape of a bullet trap may be altered, but materials may not be substituted.
  - (2) Specifications for construction. See "Use of Bullet Traps and Steel Targets" for Shoot House bullet trap information.
- i. Elevated Observation Control Platform (EOCP).
  - (1) EOCPs enhance the ability to observe and control LFSH operations. Administrative controls must be considered when constructing the EOCP. Platform construction and location is based on the training to be conducted. EOCPs must be constructed in accordance with all applicable regulations for elevated work platforms.
  - (2) EOCPs must be constructed to:
    - (a) maximize instructors' observation and control of the entry team fire and movement;

- (b) facilitate communication between instructors on the EOCP and the floor;
- (c) position the lowest point of the horizontal walking surface higher than the  $15^\circ$  vertical error for any target engaged;
- (d) provide ready access;
- (e) integrate instructors' movement with team flow;
- (f) maximize instructors' ability to see shooters clearly at all times; and
- (g) have supporting structures placed so that they pose no additional hazards such as tripping, ricochet, splatter, etc.



### **ATTACHMENT 1 -- RANGE DESIGN FIGURES**

- Figure 1. Surface Danger Zone for Small Arms Firing at Fixed Ground Targets
- Figure 2. SDZ for Small Arms Weapons Firing at Moving Ground Targets
- Figure 3. SDZ for Small Arms Firing at Fixed Ground Targets with Rocky Soil or Targets Causing Ricochet
- Figure 4. SDZ for Firing M79, M203, and M19 40mm Grenade Launchers
- Figure 5. SDZ with Impact Berm for Small Arms Firing at Fixed Ground Targets
- Figure 6. Open Range with Impact Berm and Side Protection SDZ for Small Arms Firing at Fixed Ground Targets
- Figure 7. SDZ for Partially Baffled Range (Small Arms Firing at Fixed Ground Targets)
- Figure 8. SDZ for Fully Baffled Range (Small Arms Firing at Fixed Ground Targets)
- Figure 9. Ballistic Overhead Canopy
- Figure 10. Outdoor Rifle Range Layout
- Figure 11. Pistol Range Layout
- Figure 12. Ballistic Material
- Figure 13. Ballistic Protection of Target Mechanism
- Figure 14. Impact Berm for Open and Partially Baffled Ranges
- Figure 15. Outdoor Baffled Bullet Stop
- Figure 16. Baffled Range Profile
- Figure 17. Baffled System Geometry
- Figure 18. Overhead Baffle Ballistic Designs
- Figure 19. Parallel Ranges

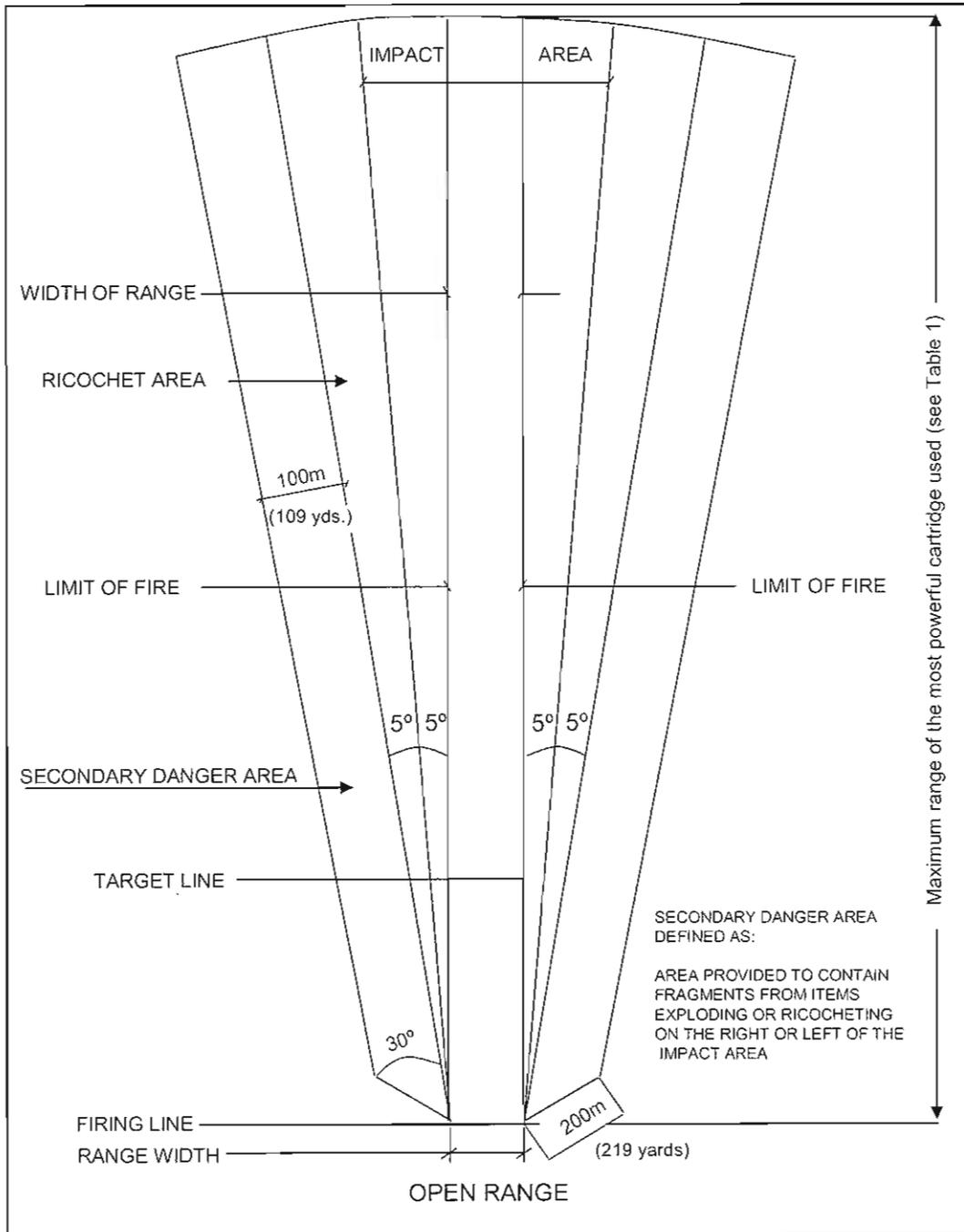


Figure 1  
Surface Danger Zone for Small Arms  
Firing at Fixed Ground Targets

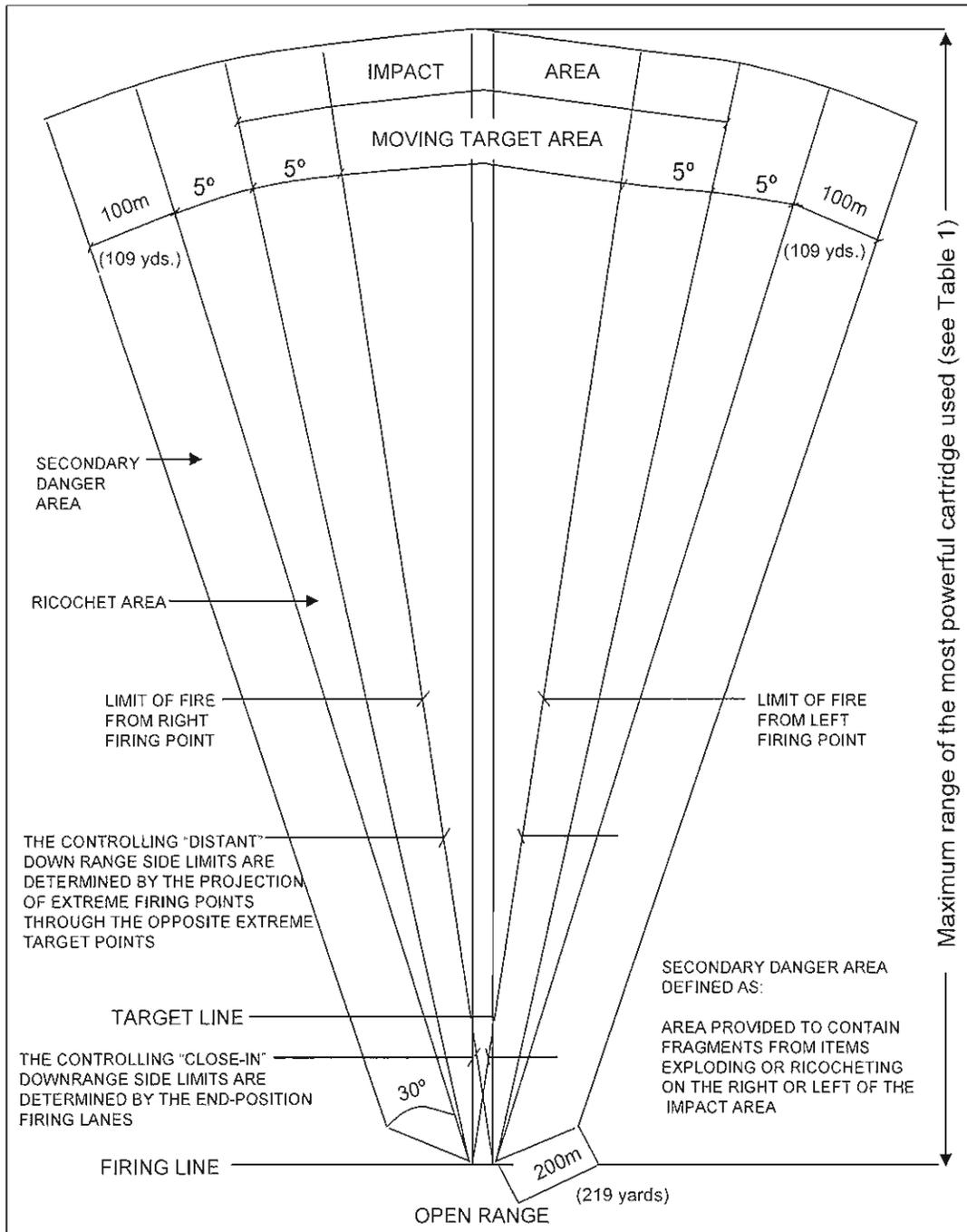


Figure 2  
Surface Danger Zone for Small Arms Weapons  
Firing at Moving Ground Targets

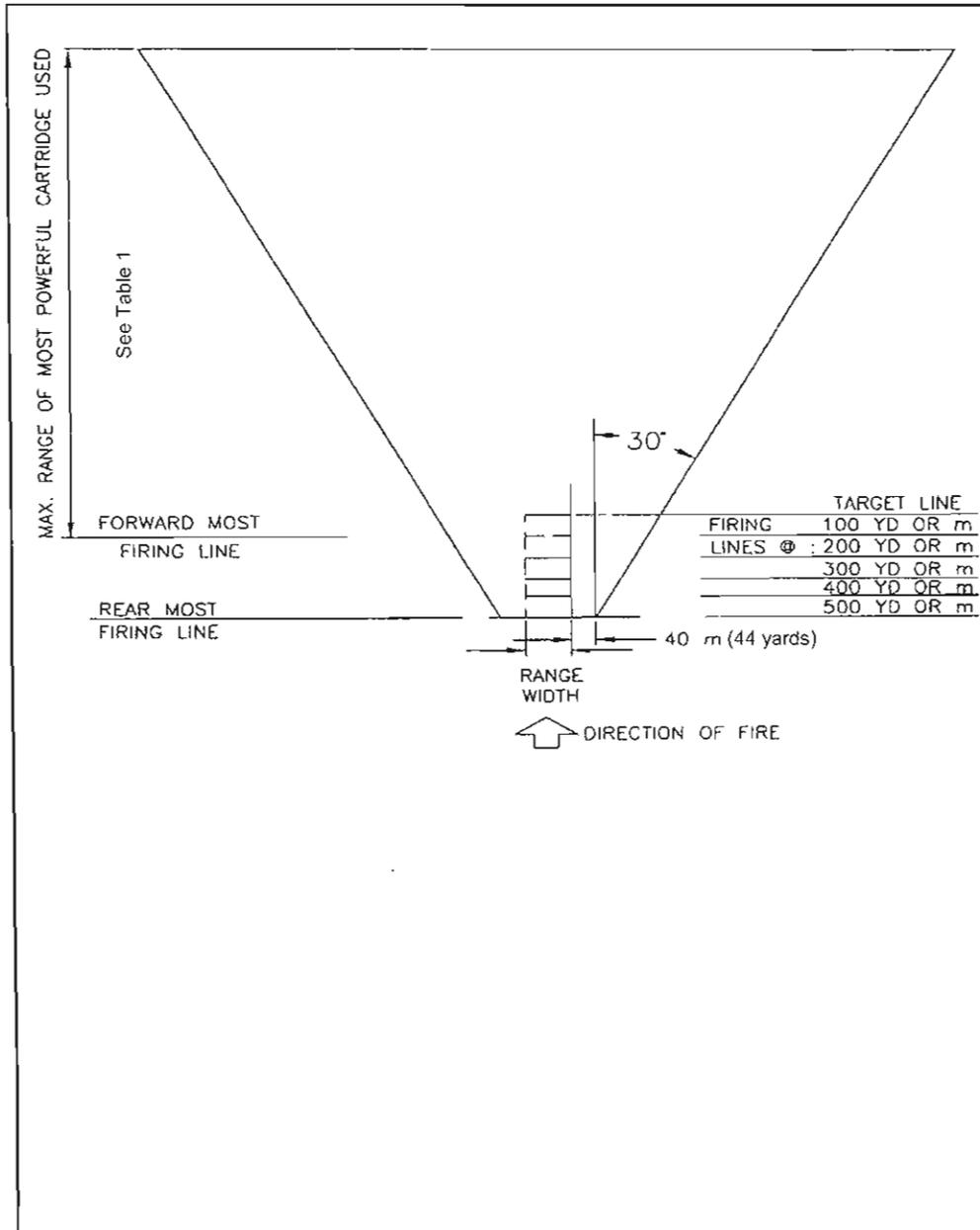


Figure 3  
Surface Danger Zone for Small Arms Firing  
At Fixed Ground Targets with Rocky Soil  
Or Targets Causing Ricochet

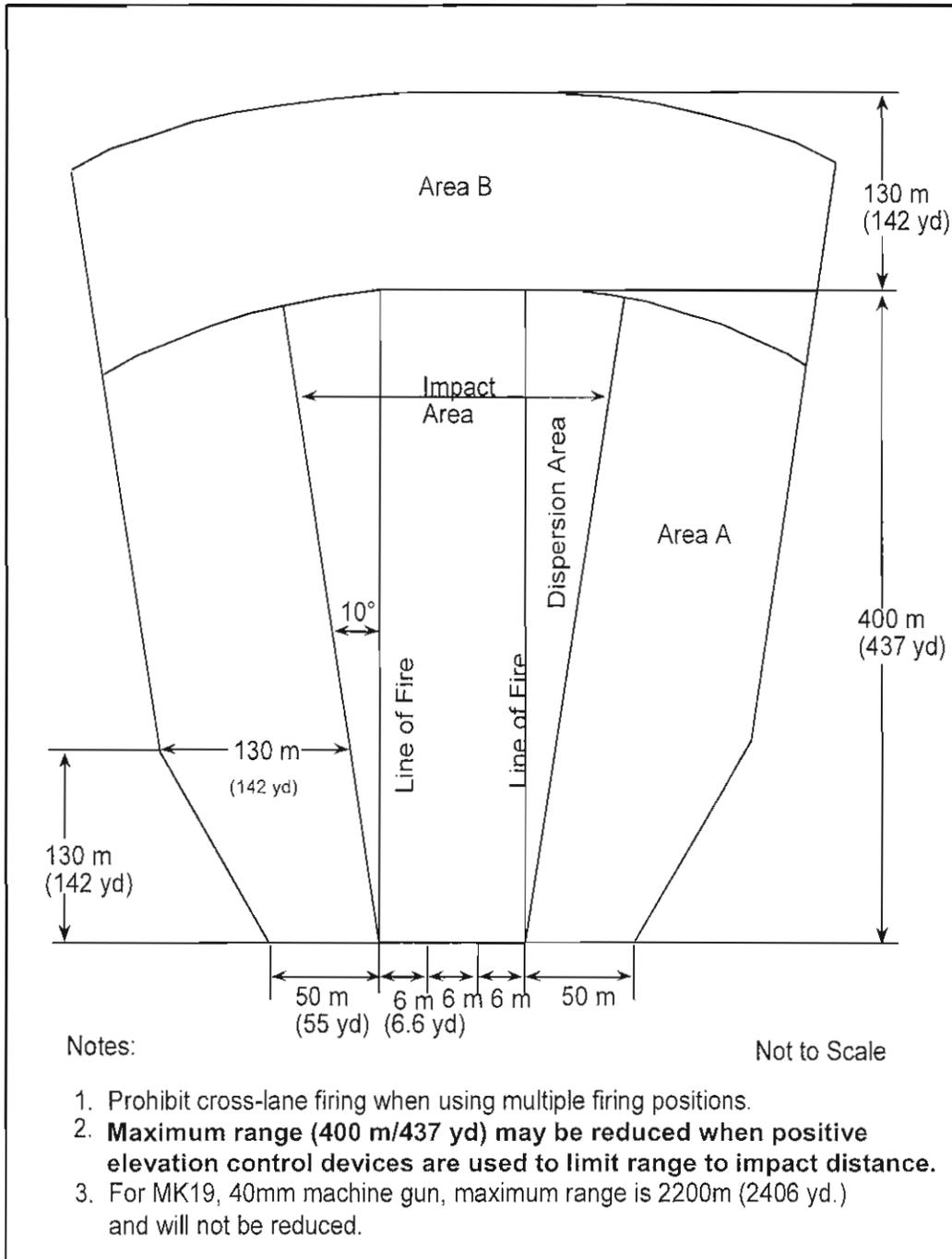


Figure 4  
Surface Danger Zone for Firing  
M79, M203, and M19 40mm Grenade Launchers

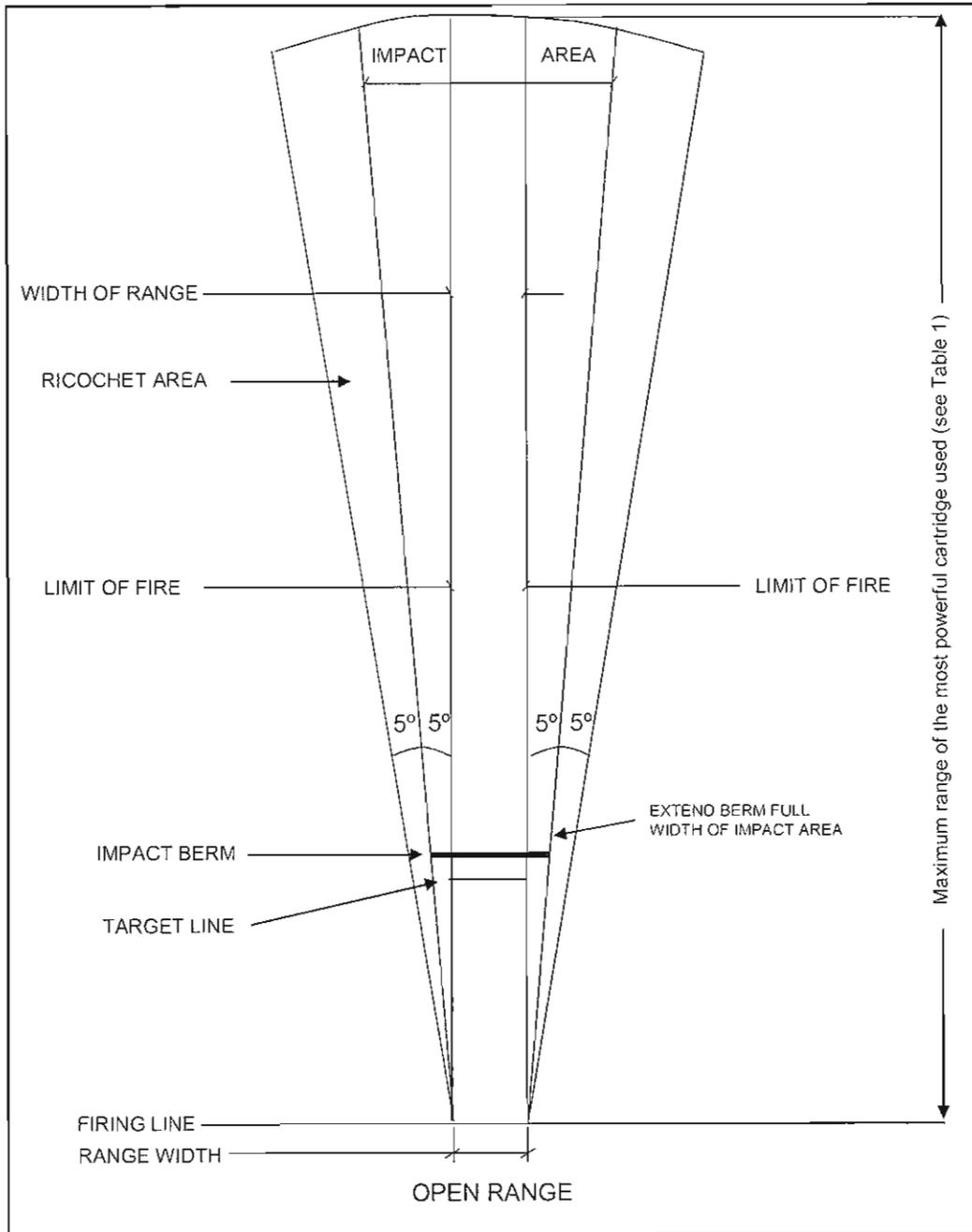


Figure 5  
Surface Danger Zone with Impact Berm  
for Small Arms Firing at Fixed Ground Targets

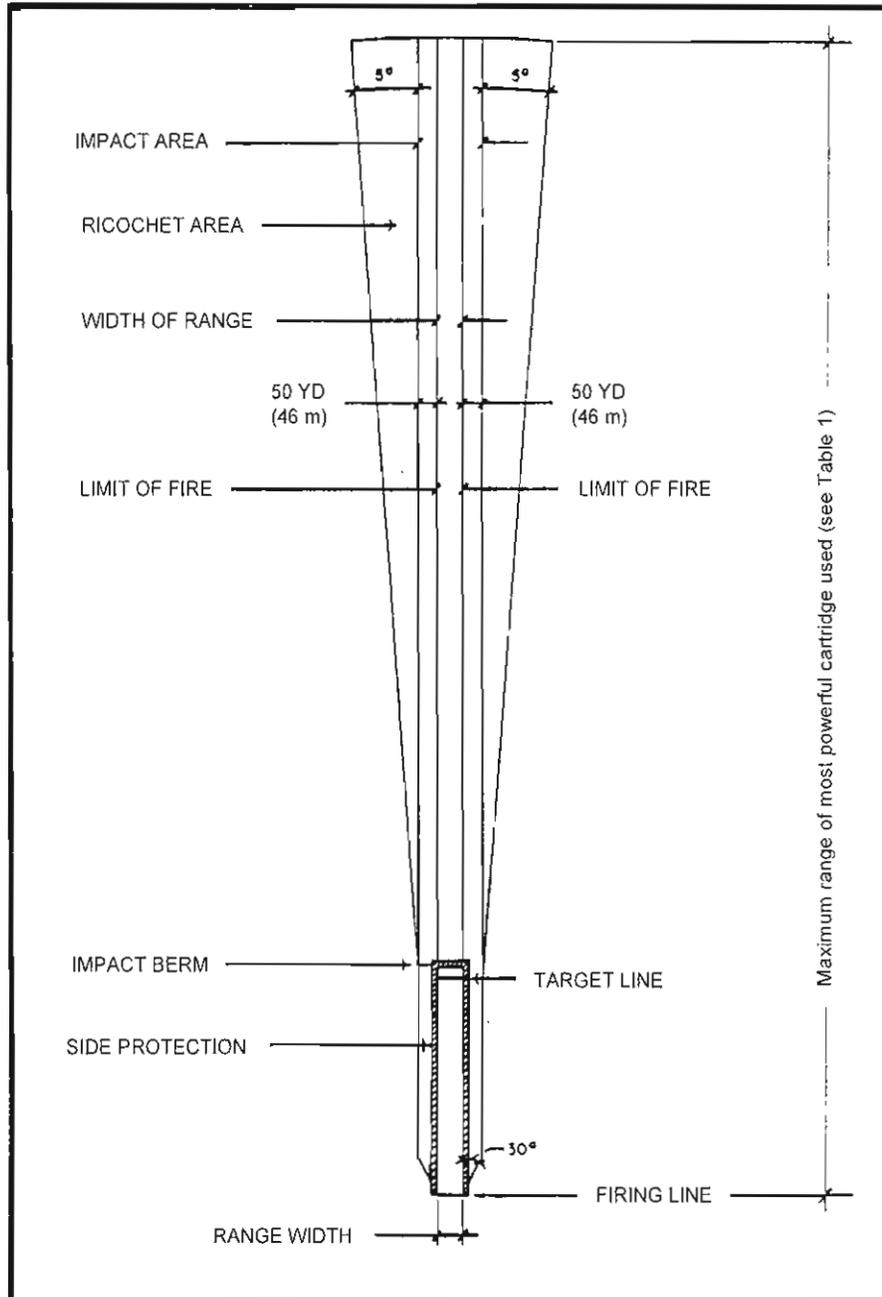


Figure 6

Open Range with Impact Berm and Side  
Protection Surface Danger Zone for Small Arms  
Firing at Fixed Ground Targets

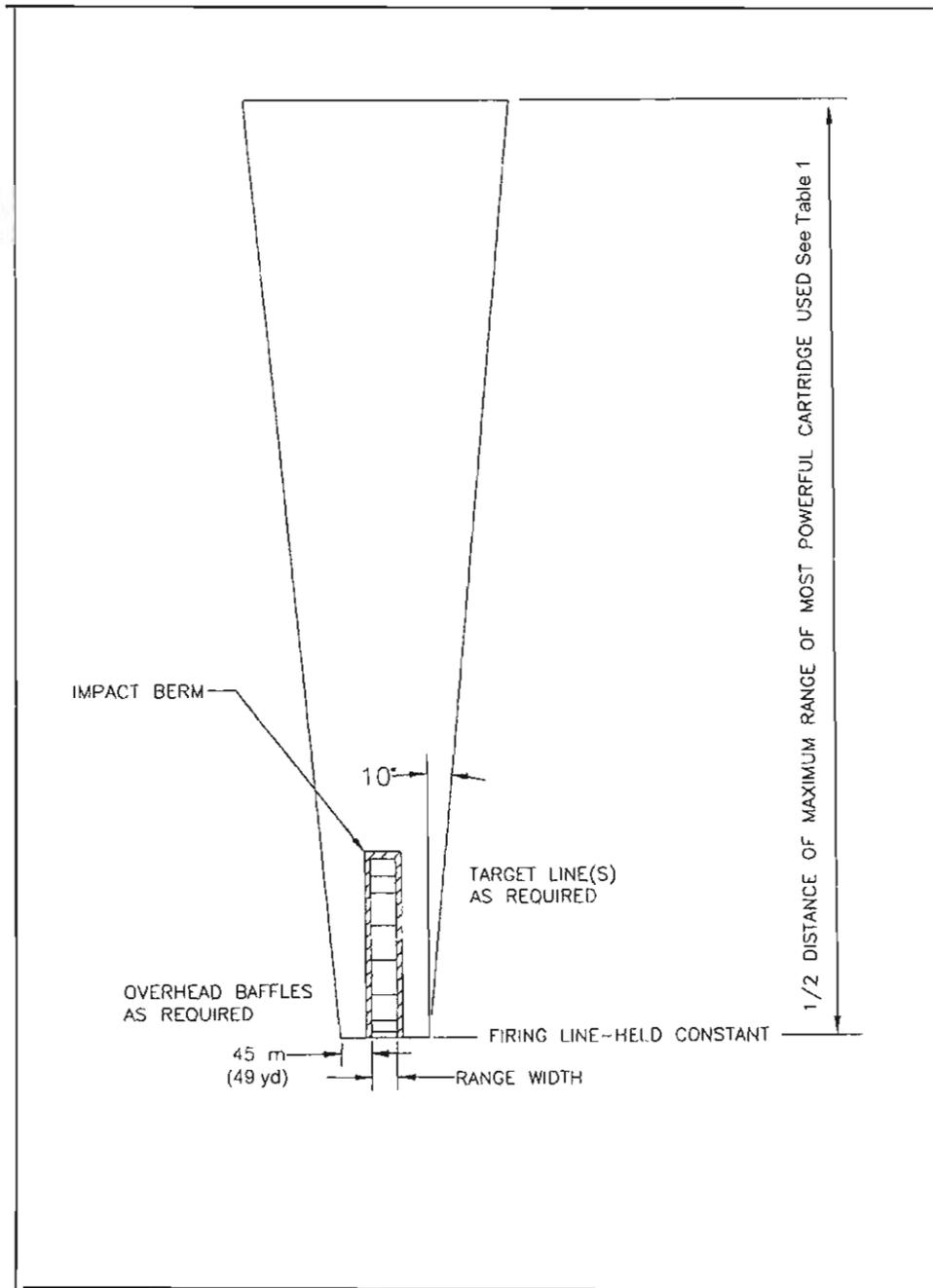


Figure 7  
Surface Danger Zone for Partially Baffled Range  
(Small Arms Firing at Fixed Ground Targets)

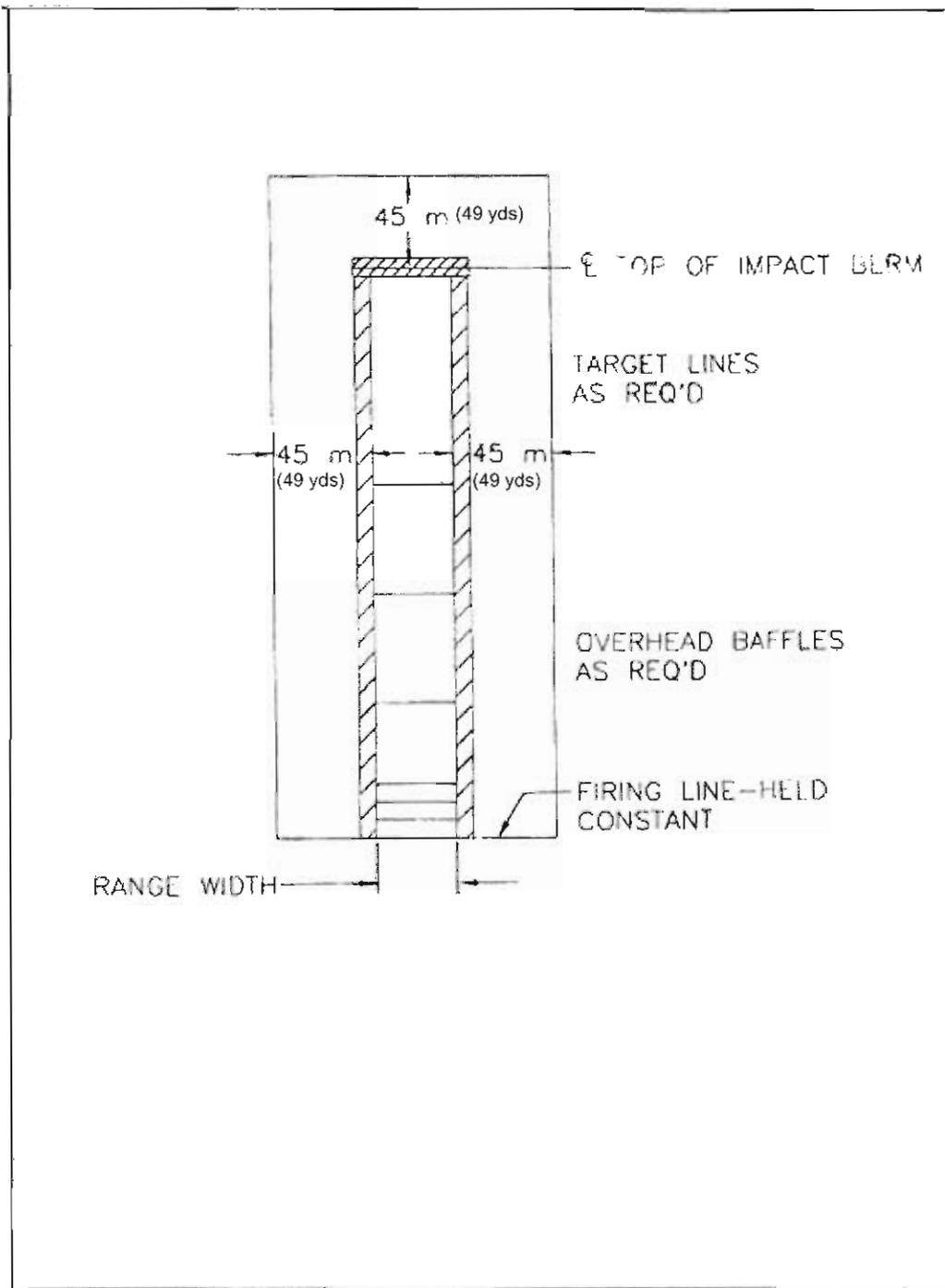


Figure 8  
Surface Danger Zone for Fully Baffled Range  
(Small Arms Firing at Fixed Ground Targets)

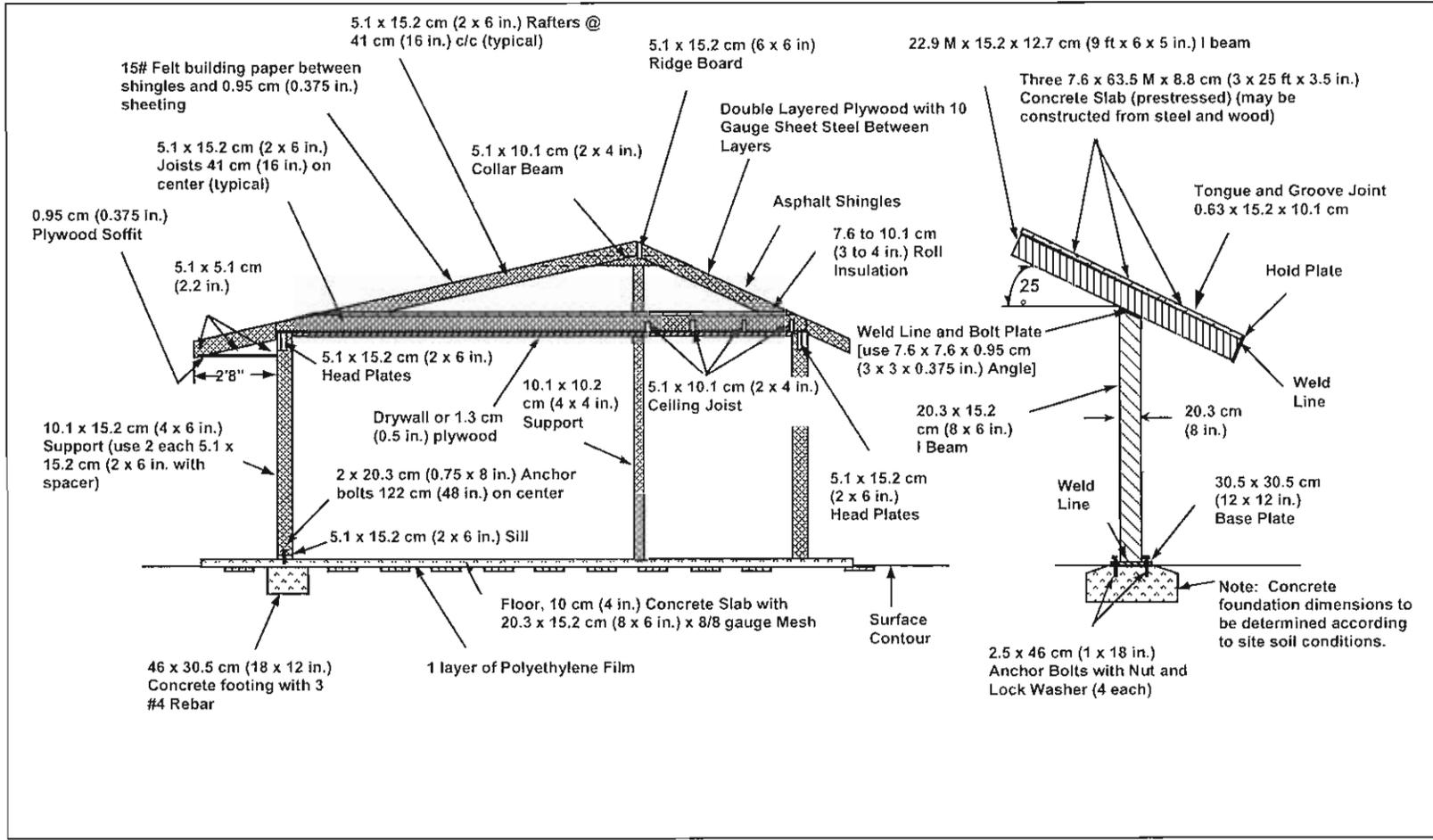


Figure 9  
Ballistic Overhead Canopy

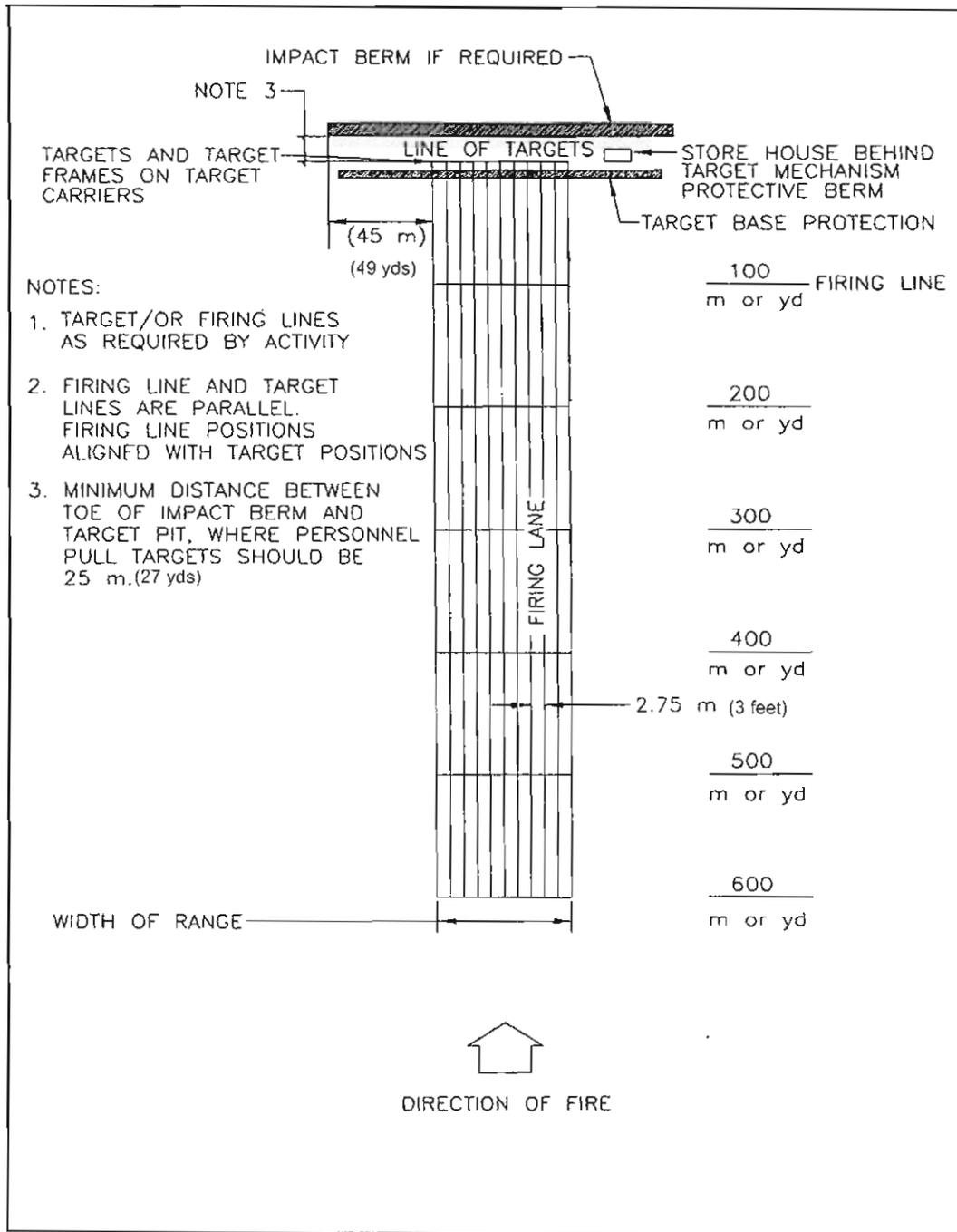


Figure 10  
Outdoor Rifle Range Layout

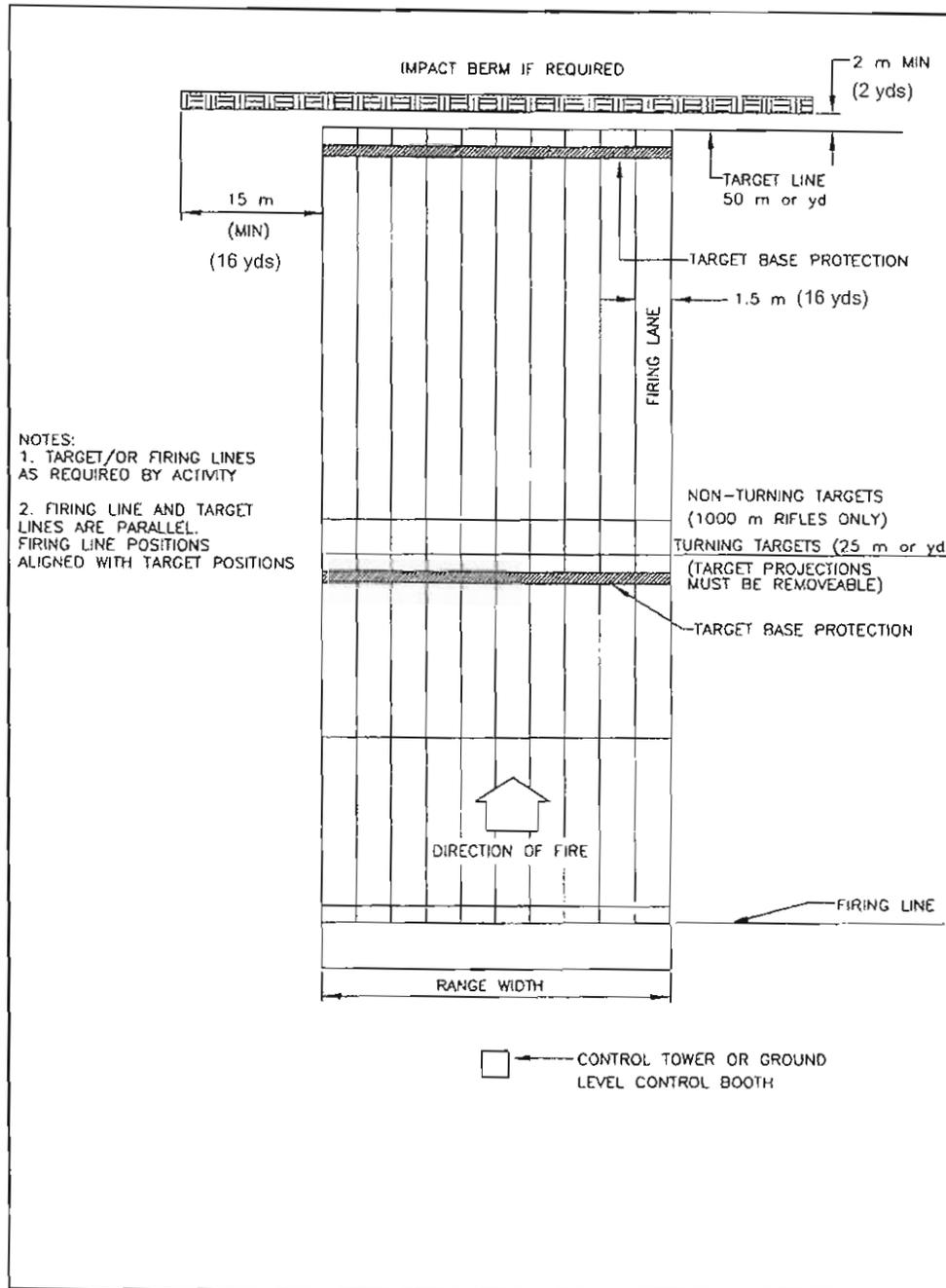


Figure 11  
Pistol Range Layout

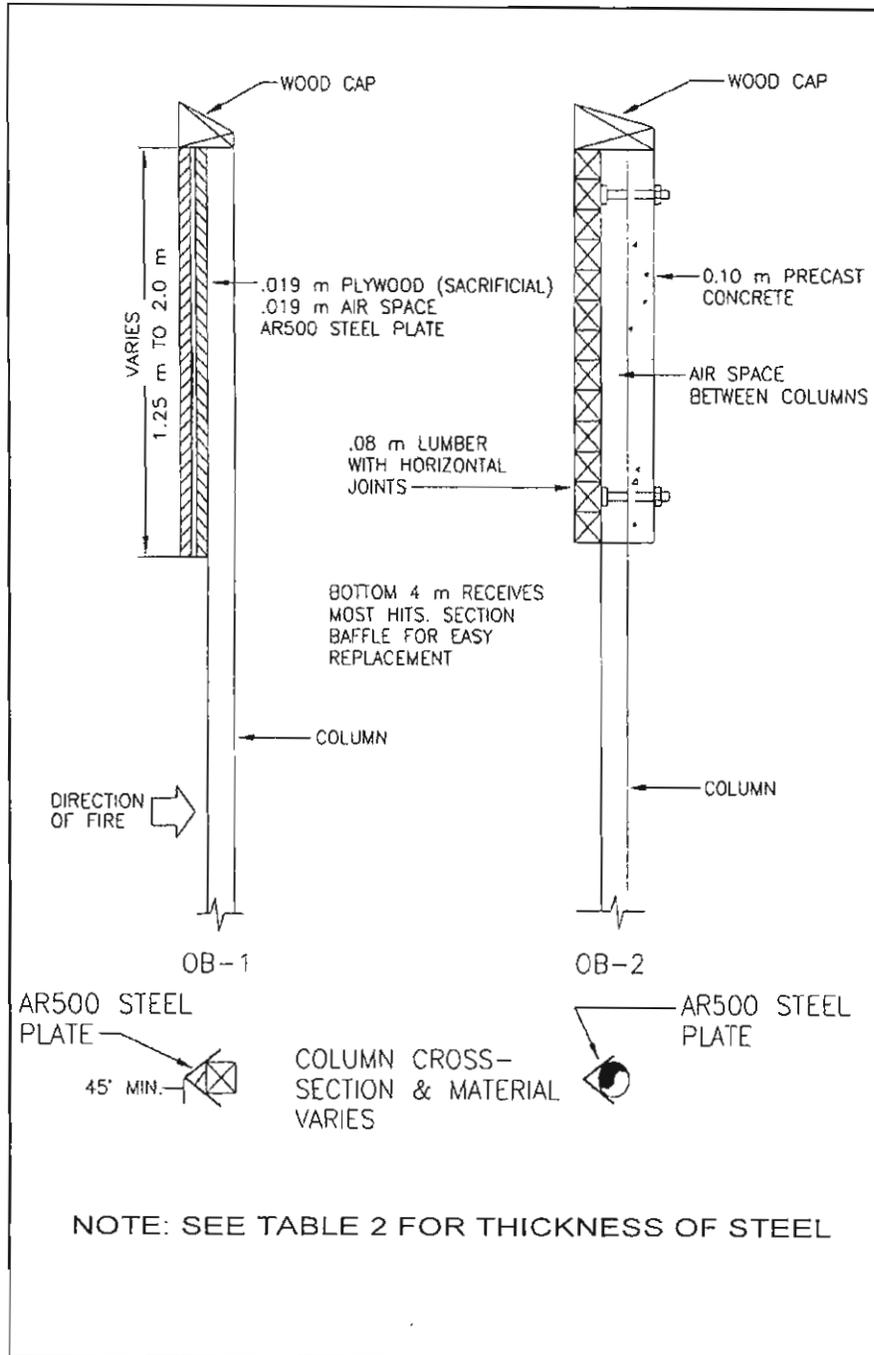


Figure 12  
Ballistic Material

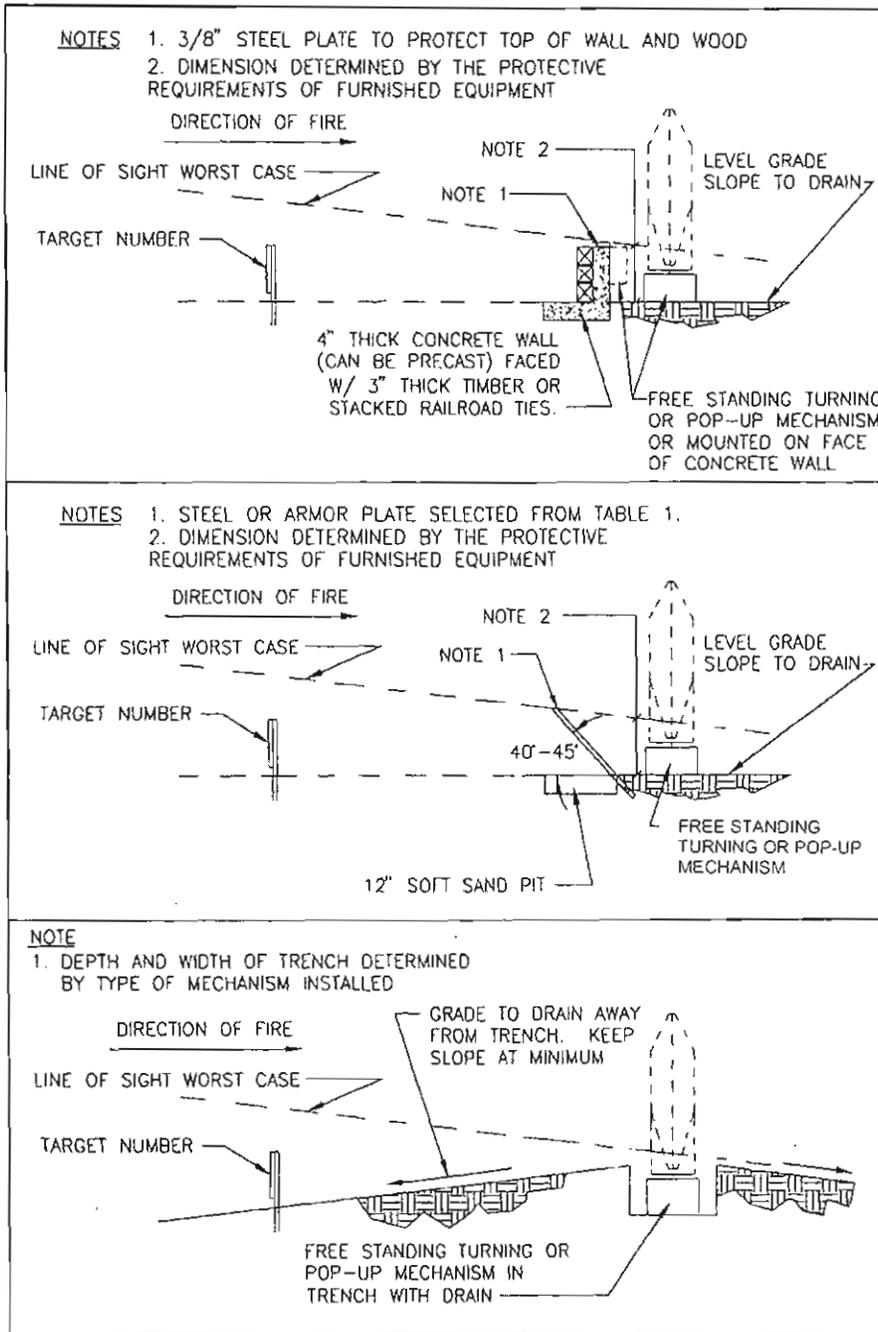


Figure 13  
Ballistic Protection of Target Mechanism

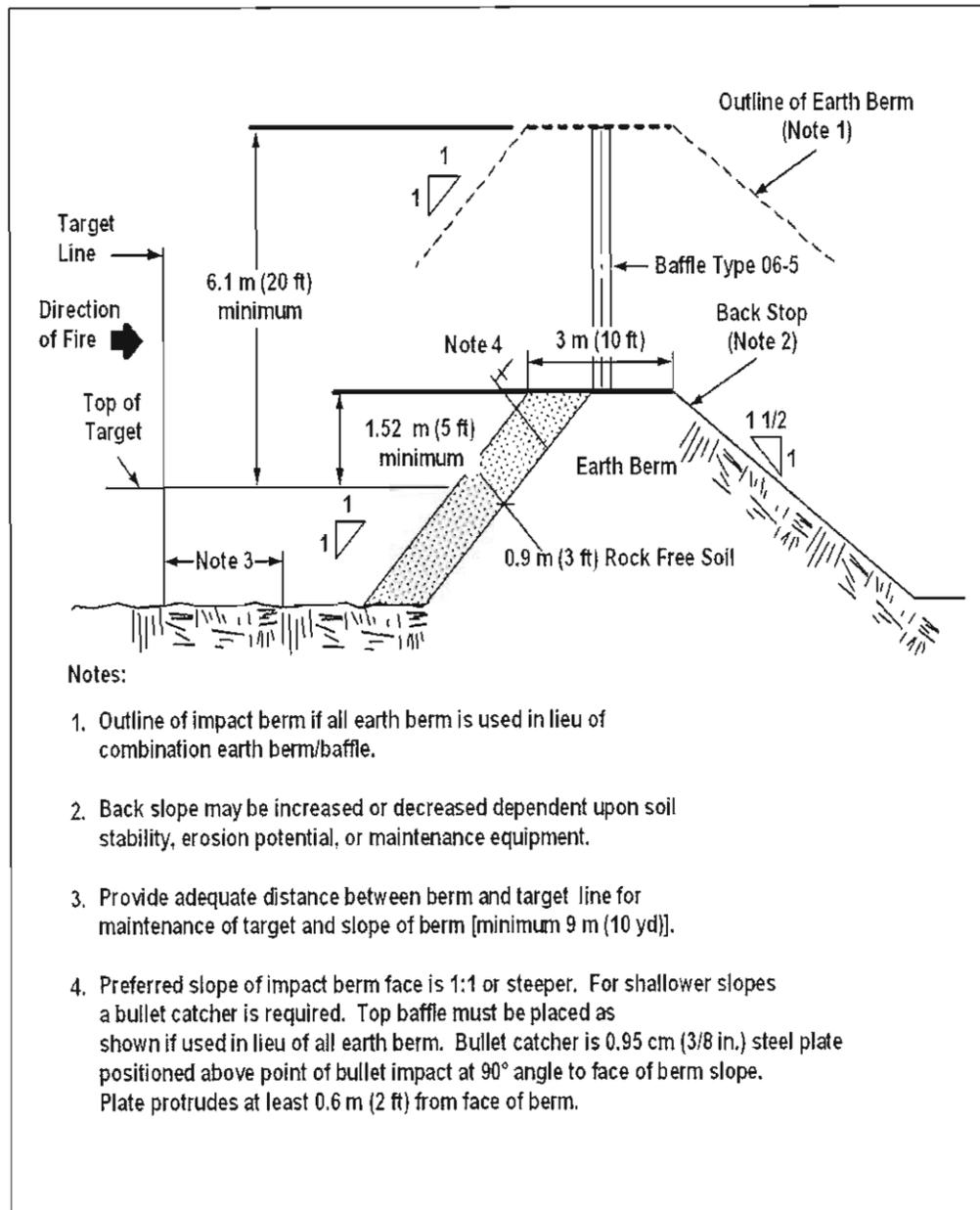


Figure 14  
Impact Berm for Open and  
Partially Baffled Ranges



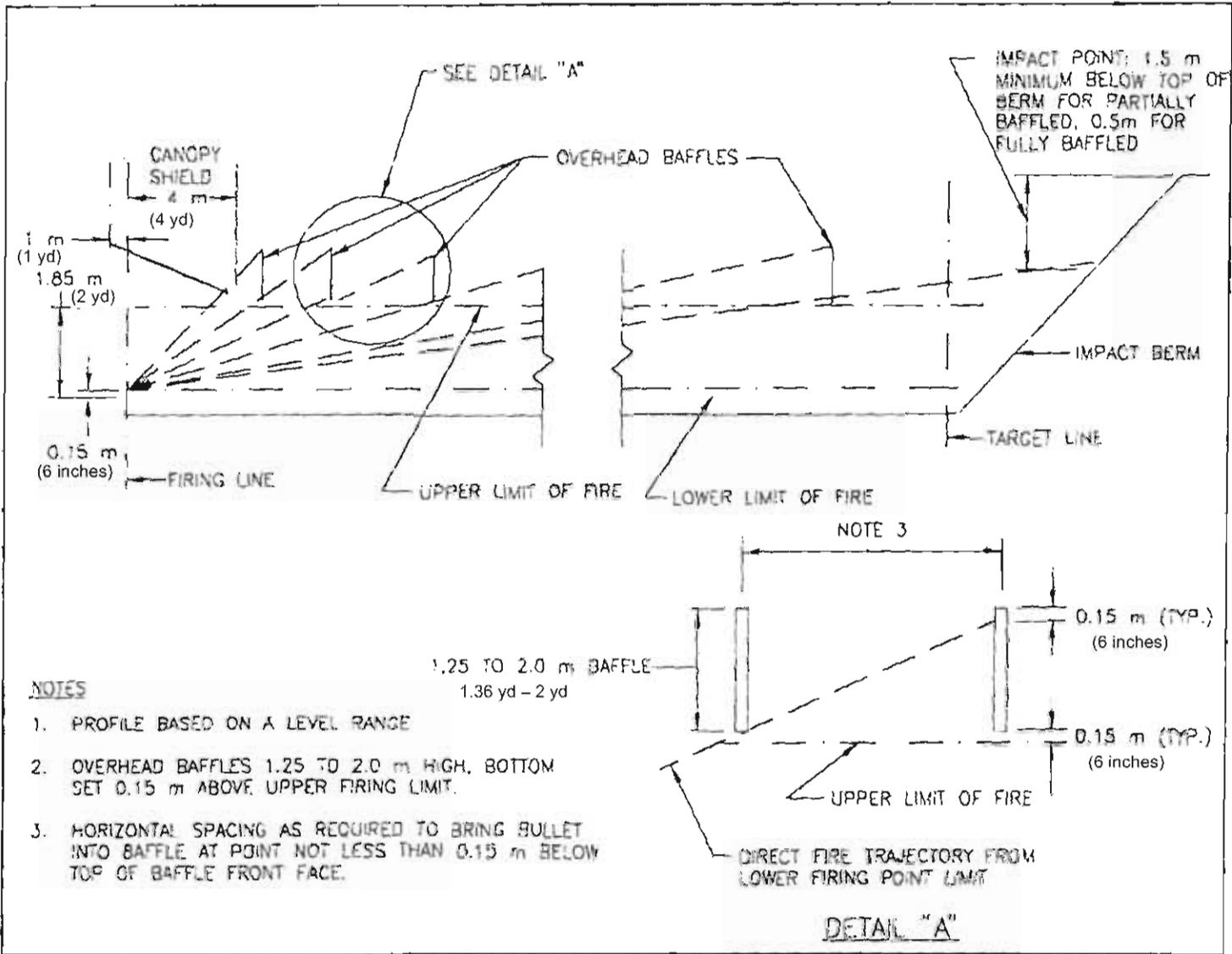


Figure 16  
Baffled Range Profile

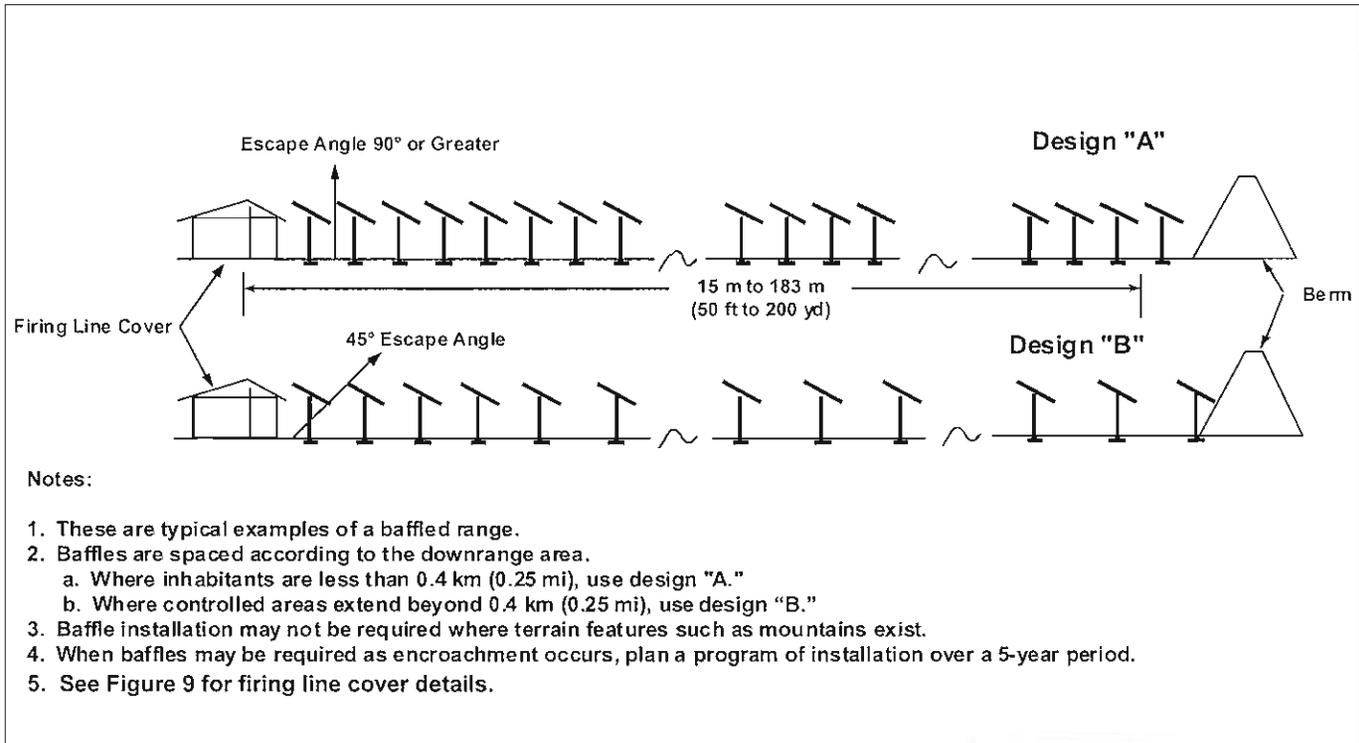


Figure 17  
Baffle System Geometry

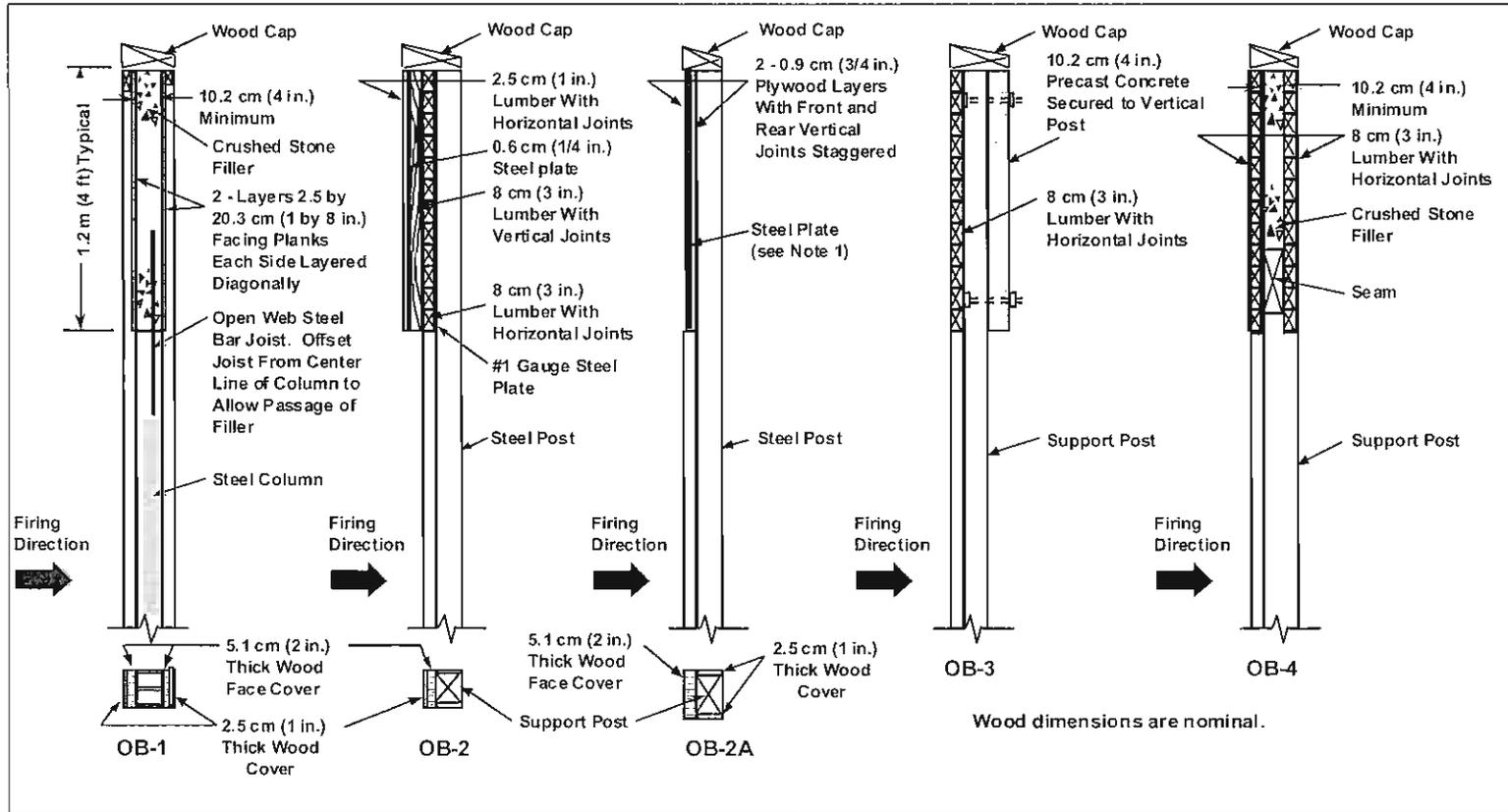


Figure 18  
Overhead Baffle Ballistic Designs

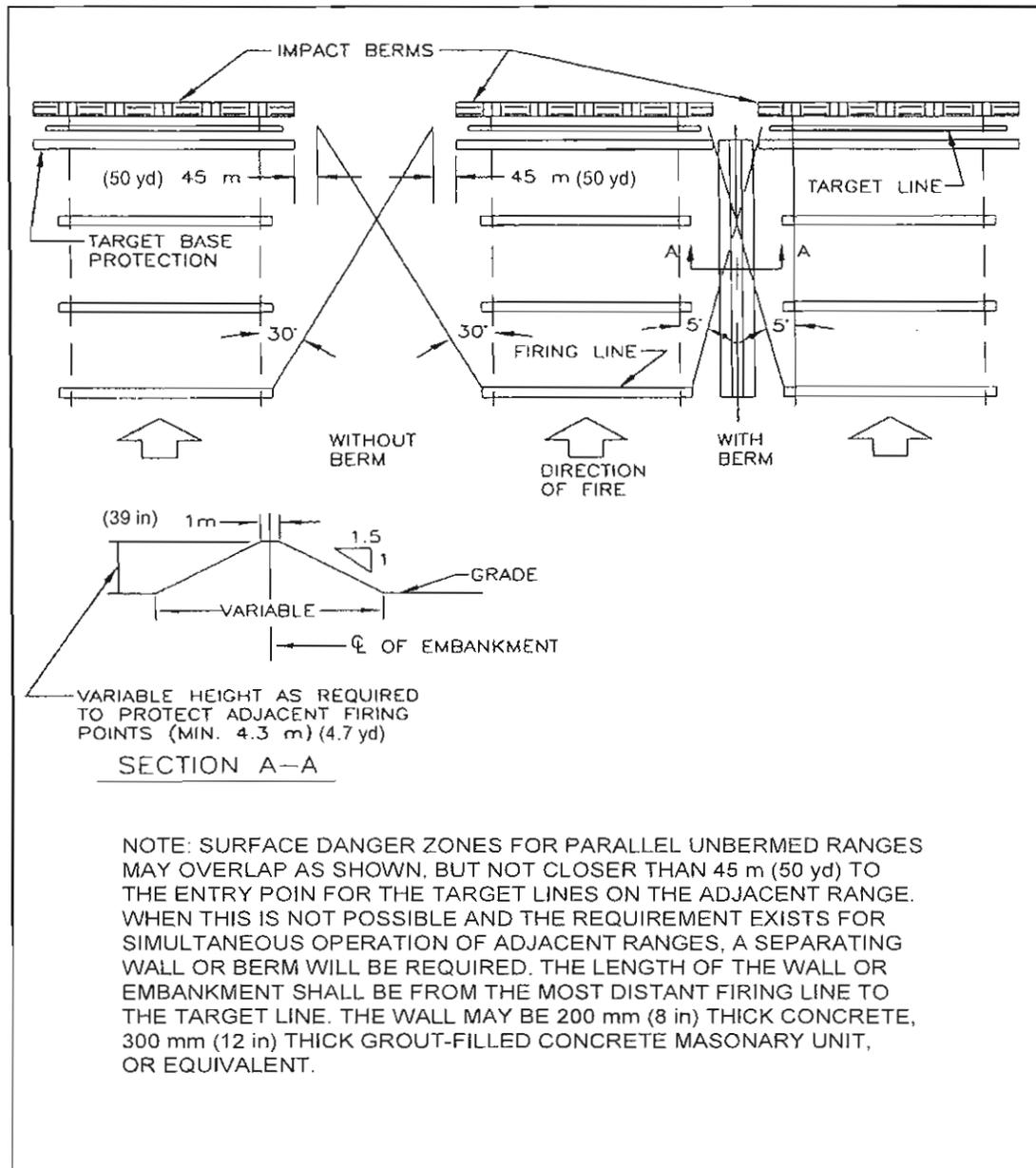


Figure 19  
Parallel Ranges

TOWNSHIP OF RICHLAND

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE TOWNSHIP OF RICHLAND AMENDING THE TOWNSHIP ZONING ORDINANCE, CHAPTER 27, SECTIONS 303, 506 and 788 OF THE CODE OF THE TOWNSHIP OF RICHLAND, TO REVISE AND ESTABLISH REGULATIONS PERTAINING TO SHOOTING RANGE USES BY SPECIAL EXCEPTION AND, IN THE RR DISTRICT ONLY, AS AN ACCESSORY USE

I. Legislative Findings.

- A. The Board finds that certain amendments are needed to clarify the Township's zoning regulations with respect to shooting ranges.
- B. The Board has, pursuant to Section 609.2 of the Pennsylvania Municipalities Planning Code declared its ordinance provisions relating to shooting ranges to be substantively invalid and resolved to prepare a curative amendment to cure the invalidity;
- C. The Board of Supervisors has given due public notice, held the requisite hearing and duly notified the Allegheny County Department of Economic Development as pertains to the proposed rezoning and the Planning Commission has made a recommendation.

II. Amendments. The Board of Supervisors of Richland Township ordains that the Zoning Ordinance of the Township of Richland, Chapter 27 of the Code of the Township of Richland, is hereby amended, as follows:

- A. Section 27-303, Definitions, is revised to amend the definition of the term "Shooting Range, Indoor" to read, in its entirety, as follows:

"Shooting Range, Indoor", a totally enclosed building that is equipped for the practice of shooting, including archery, where no activity associated with shooting is conducted outside the building."

- B. Section 506.A, Permitted Accessory Uses & Structure in any Residential and Mixed Use Districts, is amended by adding thereto a new Section 27-506.A(11) to read:

- (11) A Shooting Range, Indoor Use, shall be available as an accessory use to a single family dwelling in the RR District only, provided that all of the following criteria are met:

- (a) The shooting range shall be located on a lot of at least 5 acres in size;
  - (b) The shooting range shall be available only for the private, recreational use of the owner or occupant of the lot and their guests;
  - (c) The applicant shall demonstrate that the use will be compatible with the adjacent residential neighborhood and will not adversely affect the residential use and enjoyment of adjoining lots.
  - (d) If located in a building separate from the principal building, the shooting range building shall be located at least 60 feet from any adjacent residentially zoned or used property and shall not be located closer to the front lot line than the principal buildings on the lot.
  - (e) The applicant shall also comply with the criteria at § 27-788 A, B, C, D and J.
- C. Section 27-788, Shooting Range, Indoor, is amended to read, in its entirety, as follows:
- A. The building and method of operation shall conform to any applicable Commonwealth of Pennsylvania, Environmental Protection Agency, and OSHA standards for indoor ventilation, emission into the atmosphere, and lead management.
  - B. The design and construction of the shooting range shall completely confine all ammunition rounds within the building and in a controlled manner.
  - C. The design and construction of the shooting range shall be certified by a registered architect or engineer in the State of Pennsylvania.
    - (1) The certified plans shall include the specifications and construction of the bullet trap(s), ceilings, exterior and interior walls and floors.
    - (2) The certified plans shall state what type and caliber of ammunition the shooting range is designed to totally confine.
    - (3) A security plan for the building shall be submitted which secures the shooting range against unauthorized entrants.

- D. No ammunition shall be used in the shooting range that exceeds the certified design and construction specifications of the shooting range.
  - E. For shooting ranges that are other than used for private recreational purpose, firearms shall not be stored on the premises when the shooting range is closed for business, unless they are stored in an acceptable gun safe or other secure locking device.
  - F. On-site supervision shall be supplied at all times by an adult who is an experienced shooting range operator. The shooting range operator shall be responsible for the conduct of their place of business and the conditions of safety and order in the place of business and on the premises.
  - G. Each shooting range shall have a clear and concise safety plan. The plan must be reviewed annually and distributed to all shooting range users to study and use.
  - H. Minors shall not be allowed in the shooting range unless accompanied by an adult at all times. This provision shall not be interpreted to prohibit minors from participating in a firearm safety class which is supervised by an adult instructor.
  - I. In multi-tenant buildings, the shooting range shall be soundproofed to prevent the sound from being heard by persons in adjoining units.
  - J. The applicant shall have the burden to demonstrate that the shooting range is designed to promote the safety of all persons on the premises or on abutting property when the shooting range is being used. The applicant may meet its burden by showing compliance with applicable National Rifle Association or other generally recognized guidelines for shooting range design and safety, or by submitting evidence from persons with experience and expertise in shooting range design and safety.
- III. Severability. The provisions of this Ordinance are severable. If any provision or part thereof is held to be illegal or invalid, the remaining provisions shall remain in full force and effect.
- IV. Repeal. Any ordinance or part of any ordinance conflicting with this Ordinance is repealed to the extent of such conflict.
- V. Effective Date. This Ordinance shall be effective immediately upon adoption.

ORDAINED AND ENACTED INTO LAW by the Board of Supervisors at a public meeting this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

ATTEST:

TOWNSHIP OF RICHLAND

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Chair, Board of Supervisors

This Ordinance recorded in the Township Ordinance book on \_\_\_\_\_, 2012, by the undersigned.

\_\_\_\_\_  
Township Secretary



**DEPARTMENT OF COMMUNITY DEVELOPMENT SERVICES**

*Planning Division*

**m e m o r a n d u m**

**TO:** Laurel Lunt Prussing, Mayor

**FROM:** Elizabeth H. Tyler, PhD, FAICP, Community Development Director

**DATE:** August 16, 2012

**SUBJECT:** An amendment to Table V-1, Article II, Article V, and Article VII of the Urbana Zoning Ordinance to establish standards for “Firearm Store” and “Private Indoor Firing Range” (Plan Case 2181-T-12)

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**Introduction**

The Zoning Administrator is requesting that the Zoning Ordinance be amended to add use categories and restrictions for firearm stores and firing ranges. The proposed ordinance amendment would add definitions to Article II, add these uses to Table V-1 (Table of Uses), and add standard Special Use Permit conditions to Article VII of the Urbana Zoning Ordinance. Additionally, a restriction would be added under Article V for home occupations involving firearm sales.

The purpose of the proposed amendment is to address a deficiency in the Zoning Ordinance regarding two firearms-related uses. Recently, a business owner approached the City to determine where a principal use gun shop could be operated under Urbana zoning. The business, D & R Firearms, is looking to locate on one of two properties off of South Poplar or Glover Streets, north of Washington Street. Because the Zoning Ordinance’s Table of Uses does not specify firearm stores or indoor firing ranges whatsoever, City staff has not been able to guide this potential new business in terms of procedures and standards.

For uses not listed in the Table of Uses, Section V-1.B of the Zoning Ordinance provides that “such use shall be subject to the regulations of the use (whether permitted by right, a conditional use, or special use) to which it is most related or similar, as determined by the Zoning Administrator.” For firearm sales there are compatibility and security considerations that must be taken into account that do not apply to any other use listed in the Zoning Ordinance, and therefore there are no other uses that closely match the proposed use. Similarly, indoor firing ranges are not listed in the Table of Uses. In order for the City to preserve options in reviewing such proposed uses, it is necessary to first establish specific regulations by amending the Zoning

Ordinance. The draft ordinance under consideration would establish firearm stores and indoor firing ranges as Special Uses, limited to two zoning districts, and to be reviewed by the Plan Commission and City Council on a case-by-case basis.

It is important to note that this Zoning Ordinance amendment is intended to address the process and standards for potential firearm stores and indoor firing ranges. The amendment is not intended to address firearm ownership; nor is it intended to address firearm sales generally as an activity. Based on legal research, it would be in the best interest of the City to adopt procedures and standards for potential firearm stores and indoor firing ranges, consistent with the City's comprehensive planning policies and land use restrictions.

The Urbana Plan Commission held a public hearing on this case at their July 19, 2012 and August 9, 2012 meetings. Approximately 28 members of the public attended the July 19 meeting, and three members of the public attended the August 9 meeting. Representatives of D&R Firearms attended both public hearings and answered questions from the Plan Commission about Federal and State regulations, procedures, and the local market for such uses. Following the public hearing on August 9, the Plan Commission, by a vote of 6-ayes and 1-nayes, recommended approval with five specific amendments. The attached draft ordinance incorporates these recommended amendments.

## **Background**

### **Federal Regulatory Context**

Firearm sales are licensed and regulated by the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF). There are several federal laws that apply to firearm sales, including the Gun Control Act (18 U.S.C. Chapter 44), the National Firearms Act (26 U.S.C. Chapter 53), and the National Instant Criminal Background Check System (24 CFR Part 25). These laws require that anyone selling firearms obtain a license from ATF and meet their requirements for record-keeping, storage, background checks, and limiting sales to adults. A comprehensive list of federal laws regarding firearms is available at <http://www.atf.gov/publications/firearms/>.

### **State Regulatory Context**

Additionally, the State of Illinois has its own laws regarding firearms. Those wishing to purchase or sell firearms must qualify for and obtain a state-issued Firearm Owner's Identification card (FOID). For FOID card holders, state law imposes a 72-hour waiting period to purchase handguns and a 24-hour waiting period to purchase long guns. Gun dealers must comply with strict record-keeping and must have the State Police approve each firearm transaction in advance. Illinois also bans sales of firearms at schools and establishments that sell liquor. A complete compilation of State of Illinois laws and statutes regarding firearms can be found at: <http://www.atf.gov/publications/download/p/atf-p-5300-5-2011/atf-p-5300-5-illinois-2011.pdf>. This document also abstracts municipal firearm regulations reported to the ATF.

### **Illinois Municipal Context**

Generally, the Illinois Legislature provides municipalities broad authority to regulate firearms and ammunition. Illinois' Firearms Owners Identification Card Act provides that "[t]he provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act." The attached *Zoning News Bulletin* (Exhibit A) outlines a range of issues and solutions municipalities typically have for firearm-related uses. Research of municipal ordinances regarding firearm sales shows that many communities do not regulate firearm sales but instead rely solely upon state and Federal statutes. For example, the City of Champaign classifies firearm sales as a retail use allowed anywhere retail sales are permitted. It should be noted that the City of Champaign does restrict firearms sold at pawn shops through their city code, including prohibiting window display and requiring a burglar alarm.

Zoning. For cities regulating firearm sales, a standard approach is through zoning standards. Nationally, such regulations often include minimum distances from schools, parks, places of worship, and other firearm stores. In Illinois, some municipalities, principally in Cook County, have imposed minimum distance requirements for firearm stores and indoor firing ranges from other such uses, and from schools, parks, and places of worship.

Courts have upheld municipal restrictions on the location of gun sales within a specified distance of schools, playgrounds, parks, and places of worship. And because firing ranges may create excessive noise and pollution, courts have also prohibited ranges from operating in locations that are too close to residences. But the restrictions must be reasonable. In *Illinois Sporting Goods Association v. County of Cook* (1994), the U.S. District Court for the Northern District of Illinois found that a half-mile distance requirement for firearm stores from schools and parks was a valid exercise of the County's police power because it was rationally related to the governmental interest in reducing firearm violence among youth. However, the Court issued a preliminary injunction against the County because the regulations imposed this distance requirement only to sporting goods shops and gun stores and not to other businesses selling firearms, such as "big box" retailers. Some suburban Chicago municipalities have until recently continued to require a half mile separation for gun stores. The Village of Lincolnwood is currently considering reduction reducing their minimum distance requirement from half a mile to 800 feet.

More recently in Illinois, court decisions have led two Cook County municipalities to either drop or reduce minimum distance requirements. Following a landmark U.S. Supreme Court decision in 2010 -- *McDonald et al v City of Chicago et al* -- the Village of Oak Park's Public Health Board, following an extensive review of evidence over a series of public meetings, recommended against imposing rules such as minimum distance requirements. And similarly, after the 7<sup>th</sup> Circuit Court of Appeals (*Ezell v City of Chicago*) overturned a City of Chicago ban on indoor firing ranges in July 2010, the City of Chicago first allowed indoor firing ranges no closer than 1,000 feet to any home, school, place of worship, park, retail sales of liquor, library, museum, hospital, or place of children activities. After these restrictions were challenged in court as being too harsh, the City of Chicago in 2011 reduced the distance to 500 feet. In short, municipal minimum distance requirements for businesses

involving firearms must be reasonably constructed and applied, and rationally related to serving an important public purpose.

Zoning standards for firing ranges are less common than those for firearm sales. Cities regulating firing ranges typically concentrate on outdoor ranges, requiring location on larger parcels with ample setbacks from neighboring properties. Such requirements generally keep outdoor firing ranges to the mostly rural or fringe areas around cities, reducing the chance that they will negatively impact urban neighborhoods. Where permitted, indoor firing ranges generally have fewer use restrictions. Design standards published by the federal government may be adopted to ensure safety and low noise impacts on adjacent properties.

The National Shooting Sports Foundation lists some 225 sporting ranges in Illinois, including indoor and outdoor firing ranges, skeet clubs, and archery ranges, meaning that many Illinois communities have been able to accommodate such uses.

Licensing. Nationally, some communities provide standards through licensing rather than zoning. They require city-licensing of firearm dealers in addition to Federal licensing. Licensing programs have been used by municipalities to require more detailed record-keeping or daily reporting, fingerprinting of gun purchasers, annual inspections, and collection of fees. The Village of Northbrook, Illinois, has used its licensing program to restrict sale of handguns. Some cities also limit the number of firearm dealer licenses, much like they do for liquor or taxi licenses. This approach may work well for larger cities that have a high concentration of gun shops.

### **City of Urbana Zoning**

The City of Urbana currently has no zoning standards for principal use firearm sales (gun shops) or firing ranges. Table V-1 of the Zoning Ordinance does not list firearm sales or gun shop as a principal use. According to Section V-1.B of the Zoning Ordinance, when a principal use is proposed to be established that is not listed in Table V-1, the Zoning Administrator shall determine what is the most related or similar use. The proposed use would then be allowed under the same regulations as the most similar use. In the case of firearm sales, there is no similar use provided in the Table of Uses, due to the special considerations unique to this use.

“Sporting goods store” is a related use, but it is not generally similar. A sporting goods store sells a variety of merchandise, including clothing, fitness equipment, and sport-specific equipment. Sporting goods stores sometimes sell firearms for hunting or target shooting, but is only a component of a larger retail business. Similarly, a general merchandise store such as Walmart may sell firearms in their sports or outdoor department. Firearm sales would generally be allowed as an accessory use for these stores if it is a small part of their business. These businesses must have a federal license to sell firearms. Staff is not aware of any sporting goods stores or general merchandise stores that sell firearms within the City of Urbana. Pawn shops are locations in the City where firearms are known to be sold. As with sporting goods and general merchandise stores, firearm sales are a small part of the business and considered an accessory to the principal use.

## Site Security Plan

To better understand the aspects of site security planning for home-based firearms dealers, City staff on August 3, 2012 met on site with the owners of D&R Firearms which operates under a City home occupation permit. Site security features of note include secure storage of firearms in construction-type storage boxes bolted to concrete floors; window bars; alarm activated by motion sensors, contacts, and push button; barred windows; barred and reinforced exterior doors; security signs; and preset procedures in case of emergency. Urbana Police and Fire and METCAD all have a copy of the security plan so that they can respond accordingly in case of emergency.

## Discussion

Firearm sales are proposed to be added to the Table of Uses as Special Use Permit, along with standard conditions designed to promote the safety and general welfare of the public. Firearm sales would only be allowed in Urbana's IN-1 (Light Industrial/Office) and B-3 (General Business) zoning districts and only as Special Uses. The B-3 district is intended for general commercial activity for uses that are more intense than those allowed in neighborhood business districts. While a gun shop is not a high-impact use in terms of generating vehicle trips, excessive noise, or other potential nuisances, it may not be compatible with residential and institutional uses. The IN-1 district is designed to provide for limited retail commercial uses, in addition to office and light industry. Properties zoned IN-1 are generally located in areas that are not next to residences.

Requiring a Special Use Permit will give Plan Commission and City Council a chance to review each proposed gun shop application. Per Section VII-V of the Zoning Ordinance, Special Use Permits are evaluated on the following factors:

- Is the proposed use conducive to the public convenience at the proposed location?
- Is the proposed use designed, located, operated so that it will not be unreasonably injurious or detrimental to the district it is in or to the public welfare?
- Does the proposed use conform to the applicable regulations and standards of, and does it preserve the essential character of the district?

City Council may require additional conditions for individual Special Use Permits as deemed necessary for the public health, safety, and welfare. In addition to these criteria, City staff and the Plan Commission are recommending standard conditions that all principal use firearm sales businesses meet. Rather than minimum distance requirements, the Plan Commission is recommending an increased public notice requirement to notify property owners within 500 feet rather than the normal 250 feet from the proposed Special Use. Additionally, conditions would include limited hours of operation, prohibition of unaccompanied minors in gun stores, prohibition of display of guns and ammunition in windows, and a security plan approved by the Chief of Police.

The Urbana Plan Commission discussed whether to impose standard minimum distance requirements for firearm stores and firing ranges from potentially sensitive land uses nearby. The Urbana Zoning Ordinance now has minimum distance requirements for other uses, including: Outdoor Commercial Recreational Enterprises, Riding Stables, Kennels, Veterinary Hospitals, Truck Terminals, Billboards, Adult Entertainment Uses, Telecommunication Towers, and Wind Turbines.

Additionally the State of Illinois requires a minimum 100 feet between any retail sales of liquor and any “church, school other than an institution of higher learning, hospital, home for aged or indigent persons or for veterans, their spouses or children or any military or naval station, provided that this prohibition shall not apply to hotels offering restaurant service, regularly organized clubs, or to restaurants, food shops or other places where sale of alcoholic liquors is not the principal business carried on . . .” Urbana City Codes generally require public hearings for issuance of new liquor licenses.

Given the intent of this amendment to address firearm stores and indoor firing ranges and not firearm sales generally, and in light of recent court decisions, the Plan Commission is not recommending distance restrictions. Rather, the Plan Commission recommends that public hearing noticing for these uses be expanded, and that potentially sensitive adjacent land uses be handled on a case-by-case basis through the public hearing process.

Two related text amendments have been included with this plan case: requiring an approved security for home occupations involving firearms, and permitting private firing ranges as a special use in certain districts. Currently the Zoning Ordinance does not address home occupations that deal with firearms. The home occupation ordinance does not distinguish different types of businesses; instead it regulates businesses based on how they impact their surrounding neighborhood. Home offices and mail-order/internet businesses are generally approved, but retail uses that depend on walk-in customers are not allowed.

For firearm sales as a home business, one major concern is securing weapons kept in the home. All businesses must advertise in some fashion to potential clients, but advertising that one’s home contains a number of firearms poses a security risk, even if those weapons are secured in a gun safe. For home businesses involving firearms, allowing limited clientele through special orders would require very limited stock. This combined with a required site security plan will address many concerns.

Firing ranges are another use involving firearms that is not addressed in the Zoning Ordinance. Staff has received inquiries about potential firing range businesses in the past. These uses are generally recreational, but could have impacts on surrounding properties if not properly designed and constructed. Primary concerns include safety for users of the range and adjacent properties, and noise for surrounding properties. These concerns are addressed in federal guidelines for Range Design Criteria ([www.hss.doe.gov/SecPolicy/pfs/Range\\_Design\\_Criteria.pdf](http://www.hss.doe.gov/SecPolicy/pfs/Range_Design_Criteria.pdf)). Staff is

proposing to define an indoor firing range as a use that meets the federal range design criteria. The criteria include specifications for baffles, backstops, HVAC systems, sound-proofing, and other requirements to ensure that ricochets do not escape the building or harm users, and that sound from discharging weapons will not affect neighbors. Any potential indoor firing range would also have to ensure noise levels do not exceed the City's noise standards. Outdoor firing ranges are not being addressed as part of this Zoning Ordinance amendment as more study is needed to draft proper standards.

### **Comprehensive Plan**

The following goals and objectives of the 2005 Urbana Comprehensive Plan relate to this case:

#### **Goal 17.0 Minimize incompatible land uses.**

##### *Objectives*

- 17.1 Establish logical locations for land use types and mixes, minimizing potentially incompatible interfaces, such as industrial uses near residential areas.
- 17.2 Where land use incompatibilities exist, promote development and design controls to minimize concerns.

The proposed text amendment would accomplish these goals by establishing logical locations for potentially incompatible firearm-related uses, separate from residential and institutional uses. It would also add design controls to minimize incompatibilities between uses.

### **Proposed Text Amendment**

Based on the comments provide at the public hearing held by the Urbana Plan Commission on July 19 and August 9, 2012, as well as specific amendments recommended by the Plan Commission, the following revised Zoning Ordinance text amendment is proposed. Underlined words indicate proposed text to be added to the Zoning Ordinance.

#### **Section II-3. Definitions**

Section II-3, Definitions, of the Urbana Zoning Ordinance, would be amended by adding the following new definitions.

*Firearm:* Any device from which a projectile is discharged by gunpowder through a barrel.

*Firearm Store:* A retail store that derives its principal income from buying and selling firearms, with or without sale of ammunition and/or firearms accessories.

*Firing Range, Private Indoor:* A building inside of which club members, or the public at large, discharge firearms for target practice.

**Section V-13, Regulation of Home Occupations**

Section V-13, Regulation of Home Occupations, of the Urbana Zoning Ordinance would be amended by adding the following condition for administrative approval of any home occupation permit involving sale of firearms.

H: The sale of firearms as a home occupation shall require approval of a site security plan by the Urbana Police Chief, or designee, with renewal every three years.

**Table V-1. Table of Uses**

Table V-1, Table of Uses, of the Urbana Zoning Ordinance would be amended by adding the following new principal uses and footnotes.

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Firearm Store†												S							S	
Private Indoor Firing Range††									S								S		S	

† See Section VII-5.D for Standards for Firearm Stores

†† See Section VII-5.E Standards for Private Indoor Firing Ranges

**Section VII-5. Special Use Terms and Conditions**

The following standard conditions would be required of any firearm store or private indoor firing range issued a Special Use Permit as authorized by the Urbana City Council.

D. The following conditions shall apply to any Firearm Store:

1. Public hearing notification requirements of Section XI-10.B of the Urbana Zoning Ordinance shall be increased from 250 feet to 500 feet.
2. Approval of a site security plan by the Urbana Chief of Police, or designee, shall be a condition for approval of a Special Use Permit. Updated site security plans shall be submitted to the Police Chief at least every three years.
3. Firearms and ammunition shall not be displayed in windows.
4. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.
5. No individual under the minimum age to purchase a firearm in the State of Illinois shall be allowed on the premises unless accompanied by a parent or legal guardian.

E. The following conditions shall apply to any Indoor Firing Range:

1. Public hearing notification requirements of Section XI-10.B of the Urbana Zoning Ordinance shall be increased from 250 feet to 500 feet.

2. Private Indoor Firing Ranges shall conform to U.S. Department of Energy's Range Design Criteria or subsequent criteria.
3. No individual under the minimum age to purchase a firearm in the State of Illinois shall be allowed on the premises unless accompanied by a parent or legal guardian.
4. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.

## **Summary of Findings**

1. The Zoning Administrator is proposing to amend the Urbana Zoning Ordinance in order to establish regulations for firearms-related uses, which are currently not addressed in the Table of Uses.
2. Firearms sales are regulated by federal and state laws, and are licensed through the Bureau of Alcohol, Tobacco, and Firearms.
3. The proposed amendment will modify Articles II, V, and VII of the Urbana Zoning Ordinance to allow firearm stores and indoor firing ranges in limited districts under specific conditions.
4. The proposed amendment would require a security plan; limit hours of operation; and bar entry of Firearm Stores by unaccompanied minors.
5. The proposed amendment will require firearm stores and indoor firing ranges to be approved by City Council as a Special Use and with expanded notification requirements.
6. The proposed amendment will provide standards to ensure firearm sales and firing ranges do not have a negative impact on surrounding properties.
7. The proposed amendment is consistent with the goals and objectives of the 2005 Urbana Comprehensive Plan to minimize potentially incompatible land uses and to promote design controls to minimize concerns.
8. The proposed amendment conforms to notification and other requirements for the Zoning Ordinances as required by the State Zoning Act (65 ILCS 5/11-13-14).

## **Options**

The Urbana City Council has the following options regarding Plan Case 2181-T-12:

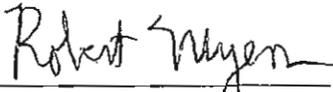
- a. Approve the proposed Zoning Ordinance amendment;
- b. Approve the proposed Zoning Ordinance amendment with specific suggested changes; or
- c. Deny the proposed Zoning Ordinance amendment.

## Recommendation

The Urbana Plan Commission on August 9, 2012, by a vote of 6-ayes and 1-nay, recommended **APPROVAL** of proposed Zoning Ordinance amendment as attached. City staff likewise recommends approval.

Under Illinois State law, the City of Urbana would need to report any municipal regulations of firearms to the State Police within 30 days of passage.

Prepared by:



Robert Myers, AICP  
Planning Manager

Attachments:

Draft ordinance  
Plan Commission minutes, July 19, 2012; August 9, 2012  
Exhibit A: "On the Firing Line", *Zoning News Bulletin*, February 2000

cc: Patrick Connolly, Urbana Police Chief  
Curt Borman, City Attorney  
Dean Hazen  
Roger Tillman  
Marcus Harris

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS  
(Revising Table V-1, Article II, Article V, and Article VII to establish  
standards for "Firearm Store" and "Private Indoor Firing Range" - Plan Case  
No. 2181-T-12)

WHEREAS, the City Council of the City of Urbana, Illinois adopted Ordinance #9293-124 on June 21, 1993 which adopted the 1993 Comprehensive Amendment to replace the 1979 Comprehensive Amendment to the 1950 Zoning Ordinance of the City of Urbana which is also known as the Urbana Zoning Ordinance; and,

WHEREAS, the Zoning Administrator is proposing to amend the Urbana Zoning Ordinance in order to establish procedures and standards for firearm stores, firing ranges, and home occupations involving firearm sales; and

WHEREAS, the proposed amendment will require firearm stores and indoor firing ranges to be reviewed by the Urbana Plan Commission and City Council on a case-by-case basis as part of the Special Use Permit process; and

WHEREAS, said text amendment is consistent with the goals and objectives of the Urbana Comprehensive Plan; and

WHEREAS, after due publication in accordance with Section XI-7 of the Urbana Zoning Ordinance and with Chapter 24, Section 11-13-14 of the Illinois Revised Statutes, the Urbana Plan Commission held a public hearing on this application at their July 19, 2012 and August 9, 2012 meetings; and

WHEREAS, the Urbana Plan Commission on August 9, 2012 voted 6 ayes to 1 nay to recommend approval with specific changes based on public comments;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF URBANA, ILLINOIS, that the Urbana Zoning Ordinance shall be amended as follows:

Section 1. That Section II-3, Definitions, of Urbana Zoning Ordinance is hereby amended to add the following new definitions:

*Firearm:* Any device from which a projectile is discharged by gunpowder through a barrel.

*Firearm Store:* A retail store that derives its principal income from buying and selling firearms, with or without sale of ammunition and/or firearms accessories.

*Firing Range, Private Indoor:* A building inside of which club members, or the public at large, discharge firearms for target practice.

Section 2. That Section V-13, Regulation of Home Occupations, of the Urbana Zoning Ordinance is hereby amended to add the following new requirement:

H: The sale of firearms as a home occupation shall require approval of a site security plan by the Urbana Police Chief, or designee, with renewal every three years.

Section 3. That Table V-1, Table of Uses, of Urbana Zoning Ordinance is hereby amended by adding the following new uses and footnotes:

**Table V-1. Table of Uses**

Principal Uses	R-1	R-2	R-3	R-4	R-5	R-6	R-6B	R-7	AG	B-1	B-2	B-3	B-3U	B-4	B-4E	CCD	CRE	MOR	IN-1	IN-2
Firearm Store†												S							S	
Private Indoor Firing Range††									S								S		S	

† See Section VII-5.D for Standards for Firearm Stores

†† See Section VII-5.E Standards for Private Indoor Firing Ranges

Section 4. That Section VII-5, Special Use Terms and Conditions, of the Urbana Zoning Ordinance is hereby amended by adding the following new conditions:

D. The following conditions shall apply to any Firearm Store:

1. Public hearing notification requirements of Section XI-10.B of the Urbana Zoning Ordinance shall be increased from 250 feet to 500 feet.

2. Approval of a site security plan by the Urbana Chief of Police, or designee, shall be a condition for approval of a Special Use Permit. Updated site security plans shall be submitted to the Police Chief at least every three years.
3. Firearms and ammunition shall not be displayed in windows.
4. Hours of service shall be limited to 9:00 a.m. to 9:00 p.m.
5. No individual under the minimum age to purchase a firearm in the State of Illinois shall be allowed on the premises unless accompanied by a parent or legal guardian.

E. The following conditions shall apply to any Indoor Firing Range:

1. Public hearing notification requirements of Section XI-10.B of the Urbana Zoning Ordinance shall be increased from 250 feet to 500 feet.
2. Private Indoor Firing Ranges shall conform to U.S. Department of Energy's Range Design Criteria or subsequent federal criteria.
3. No individual under the minimum age to purchase a firearm in the State of Illinois shall be allowed on the premises unless accompanied by a parent or legal guardian.
4. Hours of operation shall be limited to 9:00 a.m. to 9:00 p.m.

Section 5. The City Clerk is directed to publish this Ordinance in pamphlet form by authority of the corporate authorities. This Ordinance shall be in full force and effect from and after its passage and publication in accordance with the terms of Chapter 65, Section 1-2-4 of the Illinois Compiled Statutes (65 ILCS 5/1-2-4).

Section 6. The City Clerk is directed, within 30 days passage of this ordinance, to submit a copy to the Illinois Department of State Police, in conformance with Section 65/13.3 of the Firearm Owners Identification Card Act (430 ILCS 65).

This Ordinance is hereby passed by the affirmative vote, the "ayes" and "nays" being called of a majority of the members of the City Council of the City of Urbana, Illinois, at a regular meeting of said Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2012.

PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

AYES:

NAYS:

ABSTAINED:

\_\_\_\_\_  
Phyllis D. Clark, City Clerk

APPROVED by the Mayor this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

\_\_\_\_\_  
Laurel Lunt Prussing, Mayor

CERTIFICATE OF PUBLICATION IN PAMPHLET FORM

I, Phyllis D. Clark, certify that I am the duly elected and acting Municipal Clerk of the City of Urbana, Champaign County, Illinois. I certify that on the \_\_\_\_ day of \_\_\_\_\_, 2012, the corporate authorities of the City of Urbana passed and approved Ordinance No. \_\_\_\_\_, entitled "AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF URBANA, ILLINOIS (Revising Table V-1, Article II, Article V, and Article VII to establish standards for "Firearm Store" and "Private Indoor Firing Range" - Plan Case No. 2181-T-12)" which provided by its terms that it should be published in pamphlet form. The pamphlet form of Ordinance No. \_\_\_\_\_, including all of its attachments, was prepared, and a copy of such Ordinance was posted in the Urbana City Building commencing on the \_\_\_\_ day of \_\_\_\_\_, 2012, and continuing for at least ten (10) days thereafter. Copies of such Ordinance were also available for public inspection upon request at the Office of the City Clerk.

DATED at Urbana, Illinois, this \_\_\_\_ day of \_\_\_\_\_, 2012.

## On the Firing Line: Zoning for Gun-Related Uses

By Michael Davidson

Few issues have received more attention in recent decades than the implications of firearms. Gang-related warfare, school rampages, and post office shootings spurred a passionate debate between those defending the right to bear arms and those concerned about the violence in society. *Zoning News* will not delve into moral issues or the state of American culture. Rather, this issue will address the land-use requirements of gun-related enterprises, including firearms dealers and shooting ranges.

### Is Nothing Untouched by Sprawl?

Outdoor shooting ranges have fallen victim to incompatible zoning. As the countryside succumbs to urbanization and farms are sold to developers, range operators find themselves uncomfortably close to the residents of new subdivisions. Annoyed and concerned homeowners, neighborhood associations, and town zoning boards complain about noise and related nuisances coming from the nearby shooting range.

Most outdoor shooting ranges are classified as agricultural, industrial, or recreational uses, and therefore are zoned appropriately where few residential uses are present. Even then, a jurisdiction may take extra measures to minimize the impact of the land use. For example, Durham, North Carolina, gives outdoor shooting ranges a "buffer intensity" classification in the city's rural zoning district.

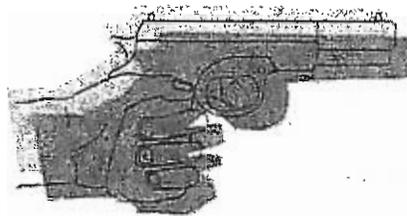
Ohio enacted legislation in 1998 to protect owners, operators, and users of existing shooting ranges from the ramifications of sprawl. Ranges that were established in isolated areas years ago came under fire when encroaching residential development led to legal action over noise. Supporters of the legislation argued for protection similar to that given farmers under Ohio's Right-to-Farm Law. The law provides limited immunity from civil and criminal liability to persons who own, operate, and use shooting ranges that are in "substantial compliance" with standards established by the Division of Wildlife in Ohio's Department of Natural Resources. The law prohibits courts from issuing injunctions against shooting ranges for nuisances if they find that a range is in substantial compliance with state standards. The law also affects the manner in which local governments can regulate ranges with measures such as zoning.

The law's greatest effect is on the "reconstruction, enlargement, remodeling, or repair" of structures or facilities that are part of an existing shooting range. However, it offers minimal protection from local regulations addressing the establishment of new shooting ranges, which must comply with all existing local ordinances. Under the new law, all shooting ranges will abide by the general development standards that apply to all structures in a county or township. The rules adopted by the Division of Wildlife for the reconstruction, enlargement, remodeling, or repair of a shooting range and its related facilities do not preempt

local laws. However, locally adopted standards may no longer be authorized if they specifically target facilities or structures that are part of a shooting range.

### No Guns in My Back Yard

Zoning ordinances ensure that compatible land uses are placed in zoning districts that will minimize or prevent land-use conflicts. Concerns over gun-related enterprises include the buffering and screening of shooting ranges for aesthetic reasons and to prevent bullets and projectiles from leaving the premises. Other concerns focus on firearm noise, devaluation of property near gun dealers and ranges, the perpetuation of crime, illegal firearms sales, and gun accessibility to minors and persons without licenses.



Outdoor shooting ranges have fallen victim to incompatible zoning. As the countryside succumbs to urbanization and farms are sold to developers, range operators find themselves uncomfortably close to the residents of new residential subdivisions.

Many ordinances eliminate gun dealing in residential areas altogether. Opponents of the dealers argue that "kitchen-table" operations pose a potential threat to nearby residents. The homes of such enterprises may not be equipped with the state-of-the-art security systems often found in commercial buildings. Storefront gun shops are typically required by ordinance to place bars on the windows and doors, employ security personnel, and install bulletproof glass. Gun inventories in stores are kept in locked cases, accessible to customers only when a trained professional is present. There is also the risk associated with residential gun dealers who do not keep sufficient records or conduct background checks on customers. Both offenses violate many state and federal laws.

Municipal ordinances can effectively deter kitchen-table operations by requiring a local dealer's license. For example, the dealer may be required to present proof that the operation exists outside a residential neighborhood and away from schools, day care centers, parks, liquor stores, bars, and other firearms dealers. All these areas are frequently deemed sensitive by local officials.

Zoning provisions can restrict firearm dealers to commercial areas. Lafayette, California, requires that dealers first obtain a land-use permit before opening shop. Applicants must also go

Permitted and Conditional Uses for Commercial Districts, Pleasanton, California\*

Use	CR	CR	CN	CC	CS	CF	CA
	(m)	(p)					
Antique stores, no firearm sales				P			
Antique stores with sales of antique firearms				C			
Catalog stores, no firearm sales	P	P		P			
Catalog stores with firearm sales	C	C		C	C		
Firearm sales	C	C		C			
Firearm sales in which no more than 10 firearms are stored on site at any one time and the majority of firearms are sold through catalogs, mail order, or at trade shows	C	C		C	C		
Gun(r)als	P	P		P	P		
Shooting Galleries, indoors with firearm sales	C			C	C		
Sporting goods stores, no firearm sales	P	P	P	P			
Sporting goods stores, with firearm sales	C	C		C			

\*P = Permitted Use, C = Conditional Use  
 CR (m) = Regional Commercial (metropolitan), CR (p) = Regional Commercial (nonmetropolitan)  
 CN = Neighborhood Commercial, CC = Central Commercial, CS = Service Commercial, CF = Freeway Commercial  
 CA = Automobile Commercial

through a public hearing process before the local plan commission to allow for public input. Still, the land-use permit is not lawful until the applicant secures a local police permit and meets federal and state licensing requirements. Such measures have reduced dramatically the number of residential gun dealers throughout the country. Oakland, California, passed its own comprehensive gun dealer ordinance in 1992, reducing the number of local dealers from 115 to six.

The owners of some storefront gun shops in Illinois actually lobbied against residential dealers by supporting President Clinton's 1994 crime bill, which gave local governments more regulatory power over gun dealers. Until then, dealers in some of Chicago's southern suburbs could hold a permit to sell firearms even if the business was violating a state law or a local ordinance. Shop owners say their support for the bill arose from concerns about image rather than profits.

Banning guns in residential zones was not the only important objective of an ordinance passed in Los Angeles County, California. Requiring gun dealers to have a "fixed place of business where all licensed activities will be conducted" helps to eliminate illegal gun sales conducted out of the trunks of cars. The ordinance requires the dealer to be the legal occupant of the place of business, which cannot be a United States post office box address or a private commercial mailbox. The dealer also must prove that he is the owner, lessee, or other legal occupant of the fixed place of business. Any subsequent license will specify the post office address of the dealer's business.

Commercial districts are certainly not immune to the banishment of gun-related enterprises. Culver City, California, circulated a petition to adopt a zoning measure entitled "The Safe School Zones Ordinance of 1999," which would restrict certain uses, including gun shops, within 500 feet of public and private schools, regardless of the location. The petition states: "Not all commercial development is incompatible with school zones. A proper balance can be reached that enhances our business districts, but without sacrificing the health, safety, and well-being of our children in the process."

### Permitted or Not?

When gun-related enterprises are not listed as a use by right (permitted use) in a zoning district, owners are required to traverse through a lengthy administrative process to determine whether the operation is permissible through an alternate measure. Lafayette's gun-related enterprises are not allowed in commercial districts as a permitted use. A firearms dealer must

apply for and obtain a land-use permit before conducting business in a commercial area. Conversely, indoor ranges are listed as permitted uses in the planned industrial districts and the light and heavy industrial districts of Mankato, Minnesota, which requires applicants to embark on the somewhat less difficult process of acquiring a business license, building permit, certificate of occupancy, etc., and complying with any performance standards established by the federal, state, and local governments. Such a process is certainly less burdensome for the planning staff, as the land-use implications of a permitted use are relatively marginal and the paperwork minimal.

**Nonconforming use.** The preexisting nonconforming use, one which may be referred to as having "grandfather" status, is unavoidable for zoning administrators as cultural interests and living styles change and cities continue to grow. Despite such conflicts, some of the now "nonconforming" uses will be allowed to stay, albeit with restrictions. Even a minor structural modification of a gun facility could result in the termination of its nonconforming status, as stated in the Ohio law. The owner of a Michigan gun club wanted to expand his building to include a new range. The request was denied because of the club's status as a preexisting nonconforming use, and to change or alter the use would violate the law, rendering the facility "different" and making it a potential threat to the area with which it was once thought compatible.

**Conditional or special use.** Subject to the high standards of planning and design, as well as the general standards established in the ordinance, conditional or special uses are allowed in districts that do not have them as a permitted use. These add flexibility to the ordinance by allowing a previously unwanted land use to be developed with minimal negative consequences to neighboring properties. Zoning boards typically approve a conditional or special use when that use is compatible with the surrounding area. Present and future compatibility with the surrounding area is an extremely important consideration that zoning administrators, who may have the prerogative of designating the restrictions, should take seriously. Violation of any of the conditions could result in a loss of the permit or some other penalty. Any changes, however minor, to grandfathered outdoor ranges in Cowlitz County, Washington, require the issuance of a special use permit, rendering the entire facility subject to the standards of a new ordinance.

In Santa Monica, California, conditional uses (which include any "business or use which sells, transfers, leases, offers or advertises for sale, transfer or lease any firearm or munitions in any location where such business is permitted") may be granted if the following criteria are met:

- The proposed use will not adversely affect the welfare of neighborhood residents in a significant manner;
- The proposed use will not contribute to an undue concentration of similar uses in the area.
- The proposed use will not detrimentally affect nearby neighborhoods, considering the distance of the use to residential buildings, churches, schools, hospitals, playgrounds, parks, and other existing similar uses.
- The proposed use is compatible with existing and potential uses within the general area.
- The public health, safety, and general welfare are protected.
- No harm to adjacent properties will result.

- The proposed use is not within 1,500 feet of any other similar use, any day care facility, or any elementary, middle, junior, or high school.

Special use provisions for outdoor shooting ranges in New Hanover County, North Carolina, require that:

- all shooting areas shall be set back a minimum distance of 100 feet from any street right-of-way,
- the firing range shall have a natural earth embankment at least 10 feet high placed behind all targets within the shooting area,
- the firing range shall be posted "No Trespassing—Danger—Shooting Range," at 100-foot intervals around the perimeter,
- at least one qualified individual in the sponsoring club or organization shall be certified for shooting range supervision. Each facility shall adopt safety rules and regulations as determined by the sponsoring club or organization,
- the firing range shall be covered by a minimum of \$300,000 accident and liability insurance.

### Legal vs. Lethal

Because zoning ordinances originate from a local government's police power, which is used to ensure public welfare, legal challenges to municipal gun regulations may be unsuccessful, according to the Legal Community Against Violence, a San Francisco-based organization. (More information is available at the group's web site, [www.lcav.org](http://www.lcav.org).) Municipalities can regulate or prohibit uses that jeopardize the character or safety of a residential neighborhood, which may motivate opponents to challenge the municipality under various legal arguments.

**Preemption.** A preemption challenge by residential gun dealers may face rejection in a court of law. In California, the legislature authorizes cities and counties to regulate the sale of firearms within community boundaries, including decisions about licenses and local fees. State regulations exist as well, including those that require gun dealers to perform background checks. Preemption over local authority would not occur simply because a local ordinance prohibiting residential gun dealers "does not involve firearm registration or licensing."

Additionally, the ordinance would not contradict the state's penal code requiring background checks because it does not impose any permit or licensing requirements on people who want to purchase firearms for their homes or places of business.

**Equal protection.** An ordinance challenged as violating equal protection will be upheld if the court finds that it does not specifically target a particular class or compromise a person's basic rights, and as long as there is a logical relationship between the ordinance and a valid governmental objective. If an ordinance that bans residential gun dealers has followed its intended purpose of maintaining the residential character of a neighborhood, then those arguing that it violates their equal protection rights will probably not have a solid legal argument.

A California Superior Court rejected a 1995 equal protection challenge to an ordinance banning residential gun dealers, stating in its order, "The sale of firearms is not a fundamental right. There is a rational basis for a ban on gun dealers in residential areas and, accordingly, there is a justifiable exercise of police power."

**Inverse condemnation.** Existing residential gun dealers may challenge an ordinance if they think that such regulation will negatively affect their business. They might argue that this would constitute a "taking without just compensation" in violation of the state and federal constitutions. Still, a cause for action under inverse condemnation should fail. A taking would

occur only if the ordinance imposed substantial constraints on the use of the property as a residence. Prohibiting kitchen-table gun operations does not severely limit a property owner in enjoying the benefits of selling or renting the home, or otherwise living in the home as she wishes.

Legislation regulating gun-related enterprises has increased substantially in recent years. Whatever the type of gun-related use, it is clear that zoning laws and other forms of municipal regulation are essential in achieving peaceful solutions.

### OUTDOOR RANGE STANDARDS

Shooting ranges have safety as the prime zoning purpose for regulation. Most codes require a minimum site size of 10-20 acres, with 20 acres most common. Setbacks of 50-200 feet are common for zone yards and behind back stops in the line of fire. Buildings located ahead of the firing line are allowed to be located to the normal zone yard setback. The site plan must show the location of the firing line or shooting stakes, targets, and backstops and indicate how the backstops are constructed. The backstop must be an earth mound or slough of sufficient dimension to stop projectiles. The range must be screened and fenced with no gates or outlets except as approved on the site plan, to avoid the possibility of unauthorized persons entering the shooting area and to intercept and stop projectiles from leaving the site. The passageway between the firing point and targets must be enclosed or be in a trench to protect users from projectiles.

An ancillary retail store and snack shop is allowed, selling convenience items and prepared snacks and sandwiches to patrons of the shooting range, but no drinks or beer, and short-term rental of firearms and equipment for use only on the premises. Buildings can have rooms for training in the use of firearms but not as an indoor shooting range unless approved with the permit.

—Charles Reed, *The Zoning Report*, "Definitions and Standards for Campgrounds, Shooting Ranges, Golf Courses, and Other Outdoor Recreation Uses," Vol. 11, No. 16, December 17, 1993. Reprinted with permission from Charles Reed.

## Big Box Big Issue in California

California is starting out the new year with a new approach to local competition for big box retail stores, courtesy of A.B. 178, which passed the General Assembly last year. Last September, Gov. Gray Davis vetoed a second law passed by the General Assembly that targeted big box retailing. It would have prohibited municipalities from approving retail projects larger than 100,000 square feet if more than 15,000 square feet of the store were used to sell nontaxable merchandise, such as produce.

A.B. 178 prohibits local governments from offering development incentives to retail stores or auto dealers over 75,000 square feet that move from one jurisdiction to another in the same market region. The new law requires that the receiving local government share 50 percent of the sales tax revenue if the relocation results in a loss to the city where the business was originally located. The resulting tax sharing between municipalities would be continued for 10 years. According to Davis, the new law offers a fair approach to dealing with the loss of a large retail store.

State Assemblyman Tom Torlakson, a supporter of the new law, says state and local budget crises have forced governments to compete over business developments that generate sales tax. Threatened cities must then scramble to come up with an investment package or face the relocation of a business to a nearby city. Torlakson previously had tackled this issue unsuccessfully with

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

**APPROVED**

DATE: July 19, 2012

TIME: 7:30 P.M.

PLACE: Urbana City Building – City Council Chambers  
400 South Vine Street  
Urbana, IL 61801

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MEMBERS PRESENT: Carey Hawkins-Ash, Andrew Fell, Tyler Fitch, Lew Hopkins, Dannie Otto, Michael Pollock, Mary Tompkins

MEMBERS EXCUSED: Bernadine Stake, Marilyn Upah-Bant

STAFF PRESENT: Robert Myers, Planning Manager; Jeff Engstrom, Planner II

OTHERS PRESENT: Robin Arbiter, Camden Baxer, Ronald Berkman, John Boch, Matt Boynton, Jessica Dewitt, Brendon Ellis, Chris Fortier, Will Gillespie, Marcus Harris, Dean Hazen, Mike Holden, Pat Holden, Christina Kniskern, David Martin, Ryan Meekma, Kenneth Selby, Steve Stanley, Susan Taylor, Clyde Walker

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COMMUNICATIONS

The following written communications were distributed to Plan Commissioners at the beginning of the meeting:

- Updated recommendation for proposed Zoning Ordinance text for Plan Case No. 2181-T-12 provided by City staff.

NEW PUBLIC HEARINGS

**Plan Case No. 2181-T-12: A request by the Zoning Administrator to amend Table V-1, Article II, Article V, and Article VII of the Urbana Zoning Ordinance to establish standards for “Firearm Sales” and “Firing Range (Private Indoor)”**

Jeff Engstrom, Planner II, presented this case to the Plan Commission. The proposed text amendment originated when a property owner contacted the Zoning Administrator to determine where the Urbana Zoning Ordinance would allow opening a new gun store and firing range in Urbana. Mr. Engstrom noted that the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF) enforces federal laws such as the Gun Control Act, the National Firearms Act, and the National

Instant Criminal Background Check System. Additionally, the State of Illinois has adopted firearms laws concerning rules for sale and purchase of firearms. Cities have the ability to regulate firearm sales through zoning or licensing. Zoning regulations may include minimum distances from schools, parks, churches or other gun shops or restricting firearm sales to specific zoning districts.

Mr. Engstrom stated that requirements for shooting ranges were less common than those for firearm sales. For indoor shooting ranges, design standards have been adopted by the federal government to ensure safety and low noise impacts on adjacent properties.

He discussed possible zoning districts in the City of Urbana where firearm sales might be allowed with a Special Use Permit. City staff is proposing firearm sales would only be allowed in the IN-1 (Light Industrial/Office) and B-3 (General Business) Zoning Districts. In addition, City staff is recommending the following three standard conditions for all principal use firearm sales businesses to meet: 1) Require a minimum distance from schools and places of worship; 2) Require a security plan approved by the City of Urbana's Police Department and 3) Restrict firearms and ammunition from being displayed in windows.

He also spoke about limiting retail sales of firearms as a home occupation and permitting private firing ranges as a conditional or special use in certain districts. The amendment would also limit gun sales out of homes. Upon researching firing ranges, City staff found all of their concerns addressed in the federal guidelines for range design criteria. Staff is proposing to adopt these design guidelines as a requirement for any indoor firing range.

Mr. Engstrom explained how the 2005 Urbana Comprehensive Plan relates to the proposed text amendment. He read the options of the Plan Commission and presented City staff's recommendation.

Chair Pollock asked staff to explain the processes for acquiring a special use permit and a conditional use permit. Mr. Engstrom then explained the process for each.

Mr. Hopkins asked if there is a particular reason why the special use permits being proposed in the text amendment only apply to IN-1 (Light Industrial/Office). Mr. Engstrom replied that when the City recently created the IN-1 (Light Industrial/Office) and IN-2 (Heavy Industrial) Districts, the intent of the IN-1 District includes limited retail uses, but IN-2 Districts are intended to be limited to heavy industrial uses.

Mr. Hopkins asked how indoor firing ranges related to the CRE (Conservation-Recreation-Education) Zoning District which is primarily public owned land. Mr. Engstrom answered that although CRE zoning is mostly publically owned, it could also include privately owned property.

Mr. Hopkins asked what constitutes a private firing range as opposed to a public firing range. Mr. Engstrom responded that a new definition would define a "private" firing range as essentially private owned. The proposed text amendment distributed tonight would apply to private firing ranges and not publically owned ranges such as the law enforcement-only range at the closed City landfill.

Mr. Hopkins wondered if the Urbana Park District wanted to open a public firing range, then the proposed regulations would not apply. Mr. Engstrom said that is correct.

Mr. Otto noticed the wide range of minimum distance requirements on Page 3 of the written staff report range from 500 to 2,000 feet. Why is City staff proposing 500 feet distance? Mr. Engstrom explained that the table shows a sample of local standards. Most all of the cities require from 500 to 1000 feet, so City staff decided to go with the lower distance. The Plan Commission can recommend a different distance if they wish to do so.

Mr. Otto asked why there are different laws based upon business volume. He feels that there should be one set of regulations. Mr. Engstrom replied that when we generally look at principal uses for different businesses, there are different concerns that would affect them. Larger businesses have larger volumes of traffic. Mr. Myers added that it is the intent of this amendment to deal with land use categories rather than gun sales specifically. This amendment concerns principal use gun stores rather than pawn shops and sporting goods stores which may include gun sales as a smaller component of a broader range of retail sales.

Chair Pollock inquired as to whether the proposed regulations, if approved by the City Council, would be applied to stores that currently sell firearms or would these stores be grandfathered in without the regulations. Mr. Myers responded that because it is a zoning regulation, any firearms stores, private firing ranges, or approved home-based gun sales would be grandfathered as legally non-conforming uses. When the City staff drafted the proposed text amendment, they had firearm stores in mind rather than general retail stores.

Mr. Otto commented that his concern is not so much over the character of the use but more for the security of the inventory. A larger business, such as Walmart, could have a firearm section that while it may only be considered a small portion of their overall inventory could be five times larger than a firearm store. The City needs to have the same laws for any business who would sell firearms.

Mr. Otto noted that on Page 7 of the memo, under Section V-13. H. (home occupations) it states that, "...*No firearms inventory shall be regularly kept in the home.*" He felt this language should be removed for the simple reason that a firearm dealer with a home occupation permit will probably have a stock of guns for their own personal possession kept at home. How would one determine whether this would be part of the inventory or part of the dealer's personal collection? Mr. Myers stated that the City is not intending to limit gun ownership through this Zoning Ordinance amendment. The home occupation ordinance is vague in several major respects, including that it doesn't prohibit retail sales from the home. Allowing outright retail sales from a home flies in the face of residential zoning. Prohibiting stock in trade at home is intended to insure that a gun dealer operating from the home with internet sales does not become a gun store operated in a residential zoning district.

Mr. Fell asked if a firearm store owner wanted to provide a place for a potential buyer to fire a gun prior to purchasing it, would it be considered a firing range? Mr. Engstrom stated that this would be considered a private firing range. Chair Pollock pointed out that this could only happen in certain districts with the approval of a special use permit.

With no further questions for City staff, Chair Pollock opened the hearing for public input.

Marcus Harris and Dean Hazen approached the Plan Commission. Mr. Harris explained that he owns rental property and Mr. Hazen approached him about relocating his home firearm business. After researching firearm sales and firing ranges and reviewing the properties that he owns, he found two locations that would be suitable for these uses. The property at 705 South Glover Avenue might be a gun store, and 801 South Poplar might be suitable for an indoor firing range. Mr. Harris said he approached City staff about the process of opening each business.

Mr. Myers asked Mr. Harris to talk about the design of indoor firing ranges. Mr. Harris noted that the National Rifle Association (NRA) offers range conferences, and professional firing range outfitters can be hired to construct firing ranges to meet the federal, state and local regulations. Building or retrofitting a building to meet these standards requires a considerable investment.

Mr. Fitch questioned whether Mr. Hazen had any concern about possibly opening a firearm store close to an establishment where alcohol is served and consumed on premises. Mr. Hazen did not have any concern with this because most alcohol would be served in the evening during the hours when his business would be closed.

Mr. Fitch asked if Mr. Hazen felt confident that a security plan would cover any problems that might be unique to a similar location. Mr. Hazen recognized that the Plan Commission did not want to get specific details about his plans to open a firearm store and firing range, but he currently has an extensive security plan for his home business in which he has invested a lot of money.

Mr. Hazen spoke about larger chain stores selling firearms. Walmart used to sell guns at one time. However, he is not aware of any chain store in the area currently selling firearms. One reason why is because the stores would have to invest more training and money in employees authorized to handle firearm sales. The employees would have to pass written tests and background checks, obtain FOID cards and undergo extensive training. In addition, there are strict regulations on selling firearms and a large amount of paperwork to file when a firearm is sold. Larger chain stores realized it was not worth the extra cost, so they discontinued selling firearms in their businesses.

Mr. Hazen asked if there is a fee to apply for a special use or conditional use permit. Mr. Engstrom said yes. The fee is \$150.00 for a conditional use permit and \$175.00 for a special use permit. This is a one-time fee rather than annual.

Ron Berkman, of 1003 Philo Road, stated that shooting is a sport for him and his wife. They support the idea of allowing firearm sales and firing ranges in the City of Urbana. The nearest indoor firing ranges are in Bloomington, Rochester, and Pocahontas. They belong to the local clubs that provide outdoor shooting ranges in St. Joseph, Sadorus, and Foosland. They would like a local place to go when it gets cold outside. The use of firearms has to do with training and knowledge. There should be more information disseminated throughout the population. The City already supports bicycles and art, and there is no reason for the City not to support the sport

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of shooting firearms. Firearms are simply machines, just like cars, motorcycles, boats, and aircrafts. Any of these could be used as weapons.

Robin Arbiter, President of the Lierman Neighborhood Action Committee (LNAC), and Jessica Dewitt, resident of the City of Urbana, came before the Plan Commission to speak. They handed out copies of a letter to the Plan Commission regarding the concerns of the Lierman Neighborhood Action Committee, and Ms. Arbiter read the letter aloud. The Lierman Neighborhood Action Committee does not want gun stores to be allowed by right but instead considered on a case-by-case basis. They want businesses and services which will serve and support the community. They need a store where they can buy fresh food. They already have liquor sales and adult entertainment. A gun store would not benefit the neighborhood.

Chair Pollock pointed out that many of the standards that LNAC recommends are included in the proposed text amendment. Ms. Arbiter replied that they do support the proposed text amendment and feel that it addresses many of the neighborhood's concerns. The one area where the proposed text amendment had less emphasis is in spelling out the community impact. Chair Pollock assured them that every time the Plan Commission meets to review a case, they consider the impact that their decision would have on the community.

Ms. Dewitt wondered if a gun shop being located in a neighborhood would lower the property value of the homes in that neighborhood. Mr. Engstrom said he could research this issue.

Ms. Dewitt mentioned that there could be a potential for a secondary market of firearms even though this would be illegal. A firearms store locating in a neighborhood such as the Lierman Neighborhood would not present a good image for the neighborhood.

John Boch, President of Guns Save Life, approached the Plan Commission to speak. He encouraged the City of Urbana to adopt regulations that are more permissive than restrictive to avoid the potential for legal expenditures down the road. If the City adopts rules that are highly restrictive, it could lose in court like the City of Chicago and have to pay big money. He did not see a need for any setback requirements from other uses. The Constitution's Second Amendment, the right to keep and bear firearms, is right on par with the right to free speech, freedom of religion, etc. Firearms used properly are very safe and beneficial. If they are used for criminal acts, then let the justice system take care of the offenders.

Chair Pollock asked if Mr. Boch had read the proposed text amendment and would he term it as being "highly restrictive". Mr. Boch responded that based on his reading he believes that there is some wiggle room in the language and that it is not terribly objectionable. He hoped that it would not be amended to become more restrictive than what it appears in its current state.

Steven Stanley, resident of Liberty Commons, stated that he is a gun owner. He pointed out that purchasing firearms is already very restrictive with the federal and state regulations. He hoped that the City of Urbana would not create an ordinance that would infringe upon gun owners. Allowing indoor and outdoor shooting ranges would be beneficial to gun owners as well as to the City. Gun owners would have a local place to go, and the City would benefit from the revenue that shooting ranges would generate.

Kenneth Selby, a federally licensed firearms dealer, talked about his life experience with regards to firearms. He feels that the proposed text amendment is overly restrictive with regards to distance from schools. He owned a firearm store in Jacksonville that was within 300 feet from a public school and across the street from the athletic field for the high school. The only issue he had would be when there was a football game on Friday night with parents and fans parking in his parking lot. He never had an issue with kids coming into his shop because they were not old enough to purchase firearms. Another issue he has with the proposed text amendment is with regards to inventory. The ATF will not allow a person to open a firearms store out of their home unless they have specific hours of operation. "By appointment only" will not be approved by the ATF. In his current firearm business, which is located in Rantoul, he does mostly internet sales. Firearms are delivered to his house by regular carriers, and he ships firearms to his clients through the United States Post Office. He has about 30 guns in his inventory that he advertises on the internet.

The ATF allows for individuals to open firearm businesses in their homes, grow their business, and once the business has outgrown the home, the individual can move their business into a shop elsewhere in the City. However, the proposed text amendment as worded would not allow this to happen in the City of Urbana.

David Martin, resident of rural Urbana, noted that with regards to indoor shooting ranges, the City of Bloomington is 55 miles away, the range in the Danville area is north of Oakwood about five miles, and the Village of Foosland is approximately 7 to 8 miles north of Mahomet. To have an indoor shooting range close by for the citizens of Urbana and for residents of the surrounding areas would be a great benefit to the area. If ever the State of Illinois adopts a conceal/carry law, then there would be a big business in firearms training. People would need a place to practice.

Mr. Hazen re-approached the Plan Commission to address comments that were mentioned by other speakers. He verified Mr. Selby's comments about the ATF requiring specific hours of operation for home based firearms businesses. In his current home business, he has one day a week with limited hours of operation to meet ATF's regulations and restricts other business to no more than five visits per day to meet local regulations.

Regarding inventory, Mr. Hazen has about 65 to 70 guns in his business inventory. He has construction toolboxes bolted to the floor, alarms in the house, motion sensors, and barbed windows in the garage. He has customers who have four to five times the number of guns in their personal collections than he has in inventory, and his customers do not have nearly as much security as he does. He wanted to discuss what the City's concerns are regarding security in terms of inventory.

With regards to his business and the proposed text amendment, Mr. Hazen understood that his home business would be grandfathered in. While the proposed text amendment would prevent any future competition, he believes in the American dream and that others should have the same opportunity that he has had. He mentioned that he has not made any money in the year and a half that he has been in business. It is a labor of love. Most of the firearm dealers that work out of their homes have this type of business because of fond memories from hunting with their fathers or learning how to shoot guns in school.

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He talked about the Police Training Institute located on the University of Illinois' campus. He noted that this is not a public range. It is a shooting range for people who belong to the faculty and staff shooting club. The Urbana Police Department has their own range on the north side of town.

He stated that he is a police officer and a resident of southeast Urbana. He is very concerned about the development of southeast Urbana in terms of home values, crime rate and safety. When good businesses pull out of a neighborhood then it leaves more room for the crime rate to increase. Gun owners and firearm store owners are some of the most civic minded, methodical, and responsible people. This is the type of people who will be frequenting a firearm store; not people under the influence of alcohol or felons. He would like to see the neighborhood get built up with good business no matter what the business may be.

Mr. Myers explained that the intent of only allowing business "by appointments" is to prohibit retail trade from occurring in a home. Mr. Hazen asked that now City staff knows that the ATF require at least one day with limited hours if they could include that in the language of the proposed text amendment so that it would be possible for an individual to open a home-based firearm business. Mr. Myers said yes.

Mr. Harris mentioned that he owns about 50 residential properties in the neighborhood. He would not do anything to impact the value of those properties. Therefore, he would not rent to Mr. Hazen if a firearms store would lower home values.

Mr. Hopkins wondered if there is alternative language that would be more directly useful than not allowing any inventory be kept in a home based business. Mr. Hazen stated his security plan for his home based firearm business is on file with the Urbana Police Department as well as with METCAD. Mr. Hopkins proposed that the City change the language in the proposed text amendment to make it a requirement for any home based firearm business to submit a security plan to the Urbana Police Department and to METCAD in lieu of any other regulations.

Mr. Ash wondered if Mr. Harris or Mr. Hazen, upon getting approval in the future to open a firearm store and/or indoor shooting range, would provide educational training for people who are interested in learning about firearm safety. Mr. Harris remarked that if people are interested in the educational or training component, then he would be willing to have open doors to offer it and possibly even have some competitor events. Mr. Ash felt that by offering education and working together with people to obtain their FOID cards, that it could help bridge the gap between them and the community.

Mr. Berkman re-approached the Plan Commission. He mentioned that he has a home-based business and deals with people as clientele. He communicates with them through email and periodically someone will come by to pick up their product. He also has mail order customers. A gun shop and a shooting range could serve as a focal point for the individuals who are capable of sharing information with those who are interested in becoming involved. The more communication they have and the more interchange they have between the groups, then the better the end product will be.

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Michael Holden, of 1209 East Michigan, welcomes an indoor shooting range. He, especially, likes the idea of a range being located close to his home so he could walk there. He asked why the Pledge of Allegiance was not said at the start of the meeting. Chair Pollock stated that it is said at City Council meetings in conjunction with holidays. Mr. Holden commented that he wished it would be said at the start of all government meetings.

Steven Stanley re-approached the Plan Commission. He talked about education and how it increases safety and it teaches people not to be as scared of firearms.

Ryan Meekma, resident of the City of Urbana, talked about how when he first moved here he was unable to meet new people who enjoyed the same hobbies as him, especially when it came to shooting as a sport. It took him two years to find shooting clubs in other communities. He advised people to be careful when talking about guns or firearms and not call them weapons. It offends those who like shooting as a sport or for hunting. We need to educate people correctly so that they do not consider guns as weapons.

Clyde Walker, of 901 South Lierman Avenue, senses an irony in the idea of locating a firearm store in an area where so much gun violence has occurred over the last several years. To him it is a matter of semantics of whether they are called firearms or weapons because the potential physical and psychological results are still the same.

With no further input from the audience, Chair Pollock closed the public input portion of the meeting and opened it up for further questions for City staff from the Plan Commission.

Mr. Ash questioned whether the two existing home-based firearm store permits would expire and have to be renewed. If so, would they be renewed under the amended ordinance? Mr. Engstrom said no, home occupation permits, once granted, are perpetual as long as the home owners abide by the conditions in their applications.

Chair Pollock then opened the meeting up for Plan Commission discussion. Mr. Hopkins felt that the Plan Commission needed to make some revisions to the proposed text amendment prior to making a motion.

One revision would be to Section V-13, Paragraph H. Mr. Hopkins believed that they should require approval of a site security plan by the Urbana Police Department. This should be the only requirement listed in this paragraph. The current proposed language is over written in trying to solve concerns of the City staff. The Urbana Police Department should be able to figure out whether a size of inventory requires some kind of alarm system or not.

Mr. Otto felt that anything they come up with should be in accordance with the ATF. He felt that Mr. Hopkins' suggestion to require approval of a site security plan by the Urbana Police Department is too broad or general, and he is worried that the responsibility of making the decision might fall on someone with less experience with the ATF's regulations. He would like for City staff to find the specific regulations that the ATF requires. It was the consensus of the Plan Commission to have City staff look at what types of issues we should have the Urbana Police Department look at, what the ATF regulations are and some options for how to reword the language so that it fits with the ATF criteria as well as safety concerns for the City's neighborhoods.

Mr. Otto inquired about current regulations for existing home-based businesses with regards to hours of operation. Mr. Myers replied that there are many issues with the home occupation ordinance. It does not actually say that retail is not allowed; however, it has been a long-standing interpretation that it does not include retail sales. It does not generally prohibit having business hours open to the public because some home occupation uses that are permitted may need to have hours of operation, such as a hair salon/parlor. Chair Pollock suggested that given the vagueness of the ordinance in general and its various different applications depending on types of businesses that when the Plan Commission looks at gun sales in particular they hone in specifically on this use. The Plan Commission should leave the recrafting of the home occupation ordinance in general to a later date.

Mr. Hopkins felt that the notion of distance from other uses needs some justification. Chair Pollock voiced his idea that maybe discussion on this should take place during the special use permit process depending on the property, adjacent properties and the zoning of the properties. Mr. Fitch stated that he would like to see a justification of why 500 feet would be appropriate instead of 200 or 300 feet and why does it only apply to churches, schools and mosques. Why does it not apply to businesses that sell alcohol? He believes it warrants more discussion and research by City staff.

Mr. Hopkins understood Section VII-5. Paragraph D to be specific conditions to be added to the special use criteria for firearms in addition to general criteria for special uses. It seems to him that Item 4 is so vague that it is covered under the general criteria for special uses, and therefore invites misinterpretation. Chair Pollock added that special use permit process provides great flexibility for the Plan Commission and the City Council to make those determinations on a case-by-case basis, so there is really no reason to have Item 4 in the ordinance. It was the consensus of the Plan Commission to remove Item 4.

Mr. Otto pointed out that there had been no discussion on hours of service for a firearm sale use. The Plan Commission agreed that City staff should research this more and find if other areas have hours of operation for firearm sale use as home occupations.

Mr. Otto stated that he would prefer to include the outdoor shooting range use with the proposed text amendment rather than to wait until someone expresses an interest. Chair Pollock mentioned that he had previous conversations with City staff prior to the meeting about how to handle this. City staff is not ready to present a text amendment to the Zoning Ordinance on outdoor shooting ranges. However, it is on the list of what City staff is planning to propose changes to or create in the form of future text amendments.

Mr. Ash asked Mr. Harris and Mr. Hazen whether they would offer firearm educational services to which they assented.

Chair Pollock announced that this case will be continued at the next regular meeting of the Plan Commission.

MINUTES OF A REGULAR MEETING

URBANA PLAN COMMISSION

**DRAFT**

**DATE:** August 9, 2012

**TIME:** 7:30 P.M.

**PLACE:** Urbana City Building – City Council Chambers  
400 South Vine Street  
Urbana, IL 61801

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**MEMBERS PRESENT:** Carey Hawkins-Ash, Andrew Fell, Tyler Fitch, Dannie Otto, Michael Pollock, Bernadine Stake, Mary Tompkins

**MEMBERS EXCUSED:** Lew Hopkins, Marilyn Upah-Bant

**STAFF PRESENT:** Robert Myers, Planning Manager; Teri Andel, Planning Secretary

**OTHERS PRESENT:** Marcus Harris, Dean Hazen, Susan Taylor

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CONTINUED PUBLIC HEARINGS

**Plan Case No. 2181-T-12: A request by the Zoning Administrator to amend Table V-1, Article II, Article V, and Article VII of the Urbana Zoning Ordinance to establish standards for “Firearm Sales” and “Firing Range (Private Indoor)”**

Robert Myers, Planning Manager, presented an update of the proposed text amendment to the Plan Commission. City staff intends for the proposed text amendment to establish standards for firearm sales as a land use category rather than as an activity. Based on this, City staff modified the proposed term “firearm sales” to “firearm store” in Table V-1, Table of Uses.

At the request of the Plan Commission, Mr. Myers has further researched minimum distance requirements for firearm stores and firing ranges. He pointed out that there are minimal distance requirements for other uses in the City of Urbana are common, such as billboards and adult entertainment uses. He talked about minimum distance requirements for firearm sales and the results of the court case *Illinois Sporting Goods Association versus County of Cook* (1994). Establish minimum distance standards can be a reasonable zoning requirement, but City staff recommends that the standard minimum distance requirement be removed from the proposed ordinance since it is limited to two specific uses: firearm stores and firing ranges. The Plan Commission could choose to recommend minimum distance requirements, but City staff would need to do further legal research to determine whether these standards would need to be applied across the board to all firearm sales. The proposal in writing before the Plan Commission is to

deal with potentially sensitive nearby land uses such as churches and schools on a case-by-case basis through the special use permit process.

To address Plan Commission questions about what elements might be included in site security plan, Mr. Myers met with Dean Hazen and Roger Tillman of D & R Firearms to review the security used for their home-based business. Mr. Myers discussed these elements and suggested that the Plan Commission could make approval of a security plan a standard condition.

Chair Pollock opened the hearing up for Plan Commission questions to City staff. The questions and answers were as follows:

If a minimum distance regulation was supported and added to the proposed text amendment, how would it affect a home-based firearm dealer use? Mr. Myers replied that minimum distance requirements would not apply to a home based business because the use is accessory to the principal use as a home.

If the proposed text amendment is approved, would it prohibit home-based firearm business? Mr. Myers responded that such uses would still be permitted as long as it meets all of the City's home occupation standards and complies with approved permits.

Does the City's existing Home Occupation Ordinance require a security plan? Mr. Myers responded that it does not.

What about firing ranges? Mr. Myers responded that the current Zoning Ordinance does not have indoor firing ranges in the Table of Uses. As being proposed, the City would review requests for firing ranges on a case-by-case basis to ensure compatibility with neighboring properties.

There was a concern about who would approve a site security plan given that the proposed wording would be approval by the Police Department. Mr. Otto would be more comfortable identifying the Chief of Police as the person who reviews site security plans rather than just naming the Police Department. Mr. Myers said this could be changed.

There was also concern that there are no restrictions on the hours of operation. It is conceivable to have hours of operation as long as it relates to a public purpose.

Should there be a specific list of security measures that a future owner would be required to complete? Mr. Myers recommended that this be left to the Chief of Police to determine what type of security would be needed for each business. The City could also address this when reviewing and deciding upon the special use permit request that is required to open a firearm store.

Are firearm dealers required to renew their site security plans every so often? It would be reasonable to require periodic review of security plans.

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Are regulations in a special use permit process allowed to be determined based on the specific needs of that particular request without regard to other special use permit approvals that have come before? Mr. Myers responded “yes”.

Could an age limit be placed on entry into the store as a condition on approval of a special use permit request? How old must a person be to obtain a FOID card? Mr. Myers believed an age limit could be a condition if the City finds a reasonable relationship between the age limit and protecting the public.

Does the City of Urbana impose hours of operation for alcohol sales? Mr. Myers responded that City staff could find out and get back to the Plan Commission.

Why would private indoor firing ranges require a conditional use permit rather than a special use permit in the AG, Agricultural, and CRE, Conservation-Recreation-Education, Zoning Districts? Wouldn't the City Council want to review all of these uses? Mr. Myers explained that because AG and CRE Zoning Districts usually have large lots, firing ranges established there are less likely to impact neighbors and so a conditional use seems reasonable. But there is some logic to having all of these uses approved by the Plan Commission and City Council as Special Use Permits. Mr. Myers would support this change.

In researching the distance from specific uses, did City staff find any communities that regulate distance between a firearm store and a business that sells alcohol? Yes, occasionally. The most common distance regulations applied to schools, residences, places of worship and parks. Distance requirements to liquor stores is probably the fifth most common.

With no further questions for City staff, Chair Pollock reopened the public hearing and asked for any comments from the public.

Dean Hazen and Marcus Harris came before the Plan Commission to speak.

Following up on Plan Commission questions, Mr. Hazen explained that a person must be at least 18 years old to obtain FOID card and 21 years old to purchase. An 18-year-old can purchase shotgun and 22-rifle ammunition only.

A firearm business is required by the Federal Bureau of Alcohol, Tobacco, and Firearms (ATF) to have a block of hours that the business is open, even if it's just a couple of hours a week. The reason is because the ATF can only inspect the business during business hours. For this reason a home occupation firearms dealer needs to be able to have some limited hours open to the public.

With regards to restricting the age limit for people who can enter a firearm business, he stated that some of his customers bring their children with them when coming to his business. They are out running errands and stop by his business to see what he has for sale. Owners of this type of business and the children's parents are not going to allow the children to handle guns. It is actually educational for children as part of firearms safety. It would not be onerous for the City to place an age restriction for entrance as long as they include that minors can be accompanied by their parent or legal guardians. It is a state law that a person must have a FOID card to even

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look at or touch a firearm. He believes that the reason an 18-year-old can purchase a FOID card is for hunting purposes. Even then, the 18-year-old has to be sponsored by a parent.

He confirmed that there is a 72 hour waiting period to purchase a hand gun and 24 hour waiting period to purchase a long gun (shotgun or rifle). He explained the process for completing a background check. In the case where the waiting period has expired and he has not heard back from the Illinois State Police, there are specific steps to follow. After the initial 72 hour waiting period, he calls the State Police's FOID Division to inform them that he has not heard anything about the customer. They have an additional 2 days to respond. After 5 days with no response, the customer is legally able to purchase a firearm. But the firearm dealer is not obligated to sell a gun. He has turned down a few people even though they had a FOID card.

There was a concern expressed about the potential noise produced from an indoor firing range. Mr. Hazen said that any indoor shooting range he has visited he has not heard any noise outside whatsoever except in a few cases when someone is shooting something enormously loud. Chair Pollock pointed out that as mentioned earlier, an indoor shooting range is only allowed in the AG and CRE Zoning Districts, which are usually fairly large sized parcels. However, if an indoor shooting range is proposed to be located within the City on a smaller size lot, then the noise level is something that could be addressed during the special use permit process.

Mr. Hazen noted that easily 90% of his customers have inquired about places to practice shooting and receive training and education on firearms. There is no place locally for the public to go. Some people set up cans along the roadside to practice shooting, which is extremely dangerous because bullets can travel a long distance.

With regards to restricting hours of operation for a firearm store, Mr. Hazen thought that a closing time of 7:00 p.m. or 8:00 p.m. would not interfere with business. Most customers visit his business either before work, after work or on the weekends. Mr. Harris recommended for a shooting range, extending the hours of operation from 9:00 a.m. until 9:00 p.m. Weekends are very popular.

As for firearms, Mr. Hazen explained that most people bring their own firearms to a shooting range. However, most shooting ranges will have firearms that people can rent while at there. This gives people an opportunity to fire a gun that they may not own or have wanted to try.

Customers must have FOID cards. There are certain regulations people must follow to transport their firearms to a shooting range. Once a customer arrives, a range officer would then inspect the firearm to ensure that it is safe and would also inspect the customer's ammunition because there are regulations on what type of ammunition can be used at a range.

Mr. Harris stated that firing ranges are often conjoined with gun stores, or they sell their own ammunition and firearms. Sometimes the gun store and the shooting range are owned by separate people.

With no further input from the public, Chair Pollock closed the public hearing and opened it up for further questions for City staff from the Plan Commission.

The Plan Commission asked how a “school” was defined. Mr. Myers explained that staff uses the definitions in the Zoning Ordinance as land use categories to find principal uses of properties. The Zoning Administrator would interpret what the principal use of a property is based on the definitions in the Zoning Ordinance prior to a special use permit request coming before the Plan Commission or City Council.

With no further questions, Chair Pollock entertained Plan Commission discussion and/or motion(s).

Mr. Fell wondered if the minimum distance requirement should also apply to home occupation permits. It seems that every other instance where we have a minimum distance requirement, it is something that would never be a home occupation use, such as radio tower, wind turbine, etc. If we apply a minimum distance requirement to a firearm store, then we also need to apply it to a home-based firearm business. Mr. Myers replied that this opens up the issue of whether a minimum distance should be required for any business that sells guns. This would include a pawn shop or a sporting goods store, which are both permitted by right in certain zoning districts. As such, gun sales would only be a small portion of the overall business either in square footage or in their level of income. The City could never allow outright retail sales in any home occupation business because it flies in the face of residential zoning. Mr. Fell pointed out that home firearm businesses are required to be a retail shop for a certain period of time each week by having set hours of operation. Mr. Myers replied that City staff does not consider it to be a retail shop just because they have a few hours of operation. They have prior arrangement for visits on a clientele basis. The hours of operation could be time when pre-arranged clients could come to fill out paperwork, finalize a sale that started on the internet, pick up a product, etc. The proposed text amendment as written does not include minimum distance requirements. Each request would be considered on a case-by-case basis. Mr. Otto stated that it would be a good idea for the City to require a rationale for placing a minimum distance requirement on a specific request. Mr. Myers agreed.

Mr. Ash wondered if there should be any distinction for combination firearm stores/firearm ranges guns. Mr. Ash said that the two uses could cohabitate in one building with a wall separating them. Chair Pollock believes that they could impose a minimum distance requirement on the gun range from schools, churches, etc. in this instance.

Mr. Myers stated that there are two ways to deal with adjacent uses. One is through the approval process and the other is through standard conditions. The City could say that any specific use (such as billboard, firearm store, indoor shooting range, etc.) has to be a specified distance from another type of use (such as residential, church, etc.). Another way to deal with the use is to require a special or conditional use permit where it would be reviewed on a case-by-case basis. A third option would be to require both a minimum distance and a special or conditional use permit. Chair Pollock added that this part of the process is simply what zoning districts a firearm store or indoor shooting range would be allowed in and what type of process would an owner go through to locate there.

Ms. Stake talked about the danger of having a firearm store located near schools. There have been 100 school shootings since the deadly 1999 Columbine High School shooting. It is not reasonable to locate a firearm store or indoor shooting range in an area where there is already a high crime rate. She is opposed to people owning guns.

Could a firearm store currently be established in a commercial district? Mr. Myers responded that it could not now be established as a primary use. It could be part of a larger retail use such as a sporting goods store or pawn shop. The Zoning Administrator would need to make this interpretation.

There was discussion about the noticing requirements for special and conditional use permit hearings. City staff is required to notice public hearings within 250 feet, excluding City right-of-ways. If the Plan Commission desired to increase this distance, then they could add that to the recommendation that they forward to City Council for the proposed text amendment.

Mr. Fitch moved that the Plan Commission forward Plan Case No. 2181-T-12 to the Urbana City Council with a recommendation for approval as indicated in the revised written staff report dated August 3, 2012. Mr. Fell seconded the motion.

Mr. Ash moved a friendly amendment to amend Section V-13.H to read as such: *The sale of firearms as a home occupation shall require approval of a site security plan by the Chief of Urbana Police Department or his designee for renewal every three years.* Mr. Otto seconded the motion.

Mr. Ash stated that this will incorporate what the Plan Commission had already discussed in specifying the officer responsible for approval. If the Chief of Police is too busy, then he can designate one of his responsible deputies. It also incorporates Mr. Fell's comments as to the renewal period in the event that there is growth and expansion for the business owner.

Mr. Otto called the question on the amendment. Mr. Fitch seconded. A hand vote was taken and the question on the amendment passed.

Roll call on the motion to amend was as follows:

Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	No	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes			

The motion to amend was approved by a vote of 6-1.

Mr. Ash moved a friendly amendment to amend Section VII-5. Special Use Terms and Conditions Subsection D, Number 1 to read as such, "*Urbana Police Department approval of a site security plan shall be submitted to the Urbana Chief of Police or his designee for his approval every three years as a condition for approval of a Special Use Permit.*" Ms. Stake seconded the motion.

Mr. Fell understood the motion to mean that a firearm store owner would have to get approval of a new Special Use Permit every three years. Mr. Ash stated that his intent is to require a firearm store owner to resubmit a security plan every three years as a condition of the approval of the permit.

Chair Pollock presented a scenario where a store owner gets approval of a special use permit to locate a firearm store, submits a site security plan and it is approved, then three years later resubmits a site security plan as required that is not approved by the Chief of Police or his designee, what happens then with the special use permit? Mr. Ash replied that the Chief of Police would give notice of the denial of the site plan, and the special use permit would come back to the Plan Commission in terms of the validity of the permit. It would actually trigger a review of the special use permit.

Mr. Otto likes this idea, because many times a special use permit is granted and there is no way to enforce that the owner is complying with the conditions of the permit. For example, when an owner agrees to contract for additional required parking. They let the parking contract lapse after getting approval of the special use permit, and the City has no way of enforcing that a new contract be arranged.

There was discussion by the Plan Commission about whether the owner should be notified every three years when the time comes to resubmit a site security plan or whether the owner should be held responsible to resubmit on their own similar to a driver's license. It was pointed out that there is an expiration date on a driver's license alerting the individual when his/her license would expire. The Plan Commission decided it should be an administrative decision.

Chair Pollock asked for the motion to amend to be read back to them.

Roll call on the motion to amend was as follows:

Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	No
Ms. Stake	-	Yes	Ms. Tompkins	-	No
Mr. Ash	-	Yes			

The motion to amend was approved by a vote of 5-2.

Mr. Otto moved a friendly amendment to Table V-1. Table of Uses to change the level of review for *Private Indoor Firing Range* in the AG and CRE Zoning Districts from C (Conditional Use Permit) to S (Special Use Permit). Mr. Fitch seconded the motion.

Mr. Otto stated that an indoor firing range use has the potential to generate a lot of public interest and controversy. Therefore, he believes that it should require review and action by the Urbana City Council. Chair Pollock agreed.

Roll call on the motion to amend was as follows:

Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Mr. Ash	-	Yes
Mr. Fell	-	Yes			

The motion to amend was approved by unanimous vote.

Mr. Otto moved a friendly amendment to Section VII-5. Special Use Terms and Conditions – Subsection D to add Number 3 and Subsection E to add Number 2 to read as such, “Hours of Service shall be limited to 9 a.m. to 9:00 p.m.” Mr. Fitch seconded the motion.

Mr. Otto felt that the earlier discussion explained the intent of this friendly amendment.

Roll call on the motion to amend was as follows:

Mr. Otto	-	Yes	Mr. Pollock	-	No
Ms. Stake	-	Yes	Ms. Tompkins	-	No
Mr. Ash	-	Yes	Mr. Fell	-	No
Mr. Fitch	-	Yes			

The motion to amend passed by a vote of 4-3.

Chair Pollock moved a friendly amendment to Section VII-5. Special Use Terms and Conditions – Subsection D to add Number 4 and Subsection E to add Number 3 to read as such, “No individual under the age of 21 unless accompanied by a parent or guardian will be allowed on the premises.”

Mr. Ash requested that they add “...legal guardian...”

There was discussion about 18-, 19- and 20-year olds being able to enter purchase some types of ammunition. The Plan Commission decided that these individuals are exempt from the regulation because they are not old enough to purchase firearms anyway.

There was discussion about if the government lowers the age restriction to purchase firearms. The Plan Commission decided to change the language in the amendment to read “...under the legal age of 21 to purchase a firearm...”

Chair Pollock restated the amendment to read as follows, “No one under the legal age to purchase a firearm in the State of Illinois will be allowed on the premises without a parent or legal guardian.” Mr. Otto seconded the motion.

Roll call on the motion to amend was as follows:

Mr. Pollock	-	Yes	Ms. Stake	-	Yes
Ms. Tompkins	-	Yes	Mr. Ash	-	Yes
Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Otto	-	Yes			

The motion to amend passed by unanimous vote.

Mr. Fitch moved a friendly amendment to Section VII-5. Special Use Terms and Conditions to add Subsection F to read as such, "*Require notification for Special Use Permit to property owners within 500 feet of the subject property*". Ms. Stake seconded the motion.

Mr. Fitch felt this amendment is preferable for setbacks. Rather than setting a minimum distance requirement between uses, he believes that notifying a larger area of pending public hearings will generate more input for the Plan Commission and the City Council to use in making decisions. There was discussion about whether or not 500 feet would be enough. Mr. Myers clarified that 500 feet would be from the outer property line of the parcel on which the use is located, not from the building in which it would be located.

Roll call on the motion to amend was as follows:

Ms. Stake	-	Yes	Ms. Tompkins	-	Yes
Mr. Ash	-	Yes	Mr. Fell	-	Yes
Mr. Fitch	-	Yes	Mr. Otto	-	Yes
Mr. Pollock	-	Yes			

The motion was passed by unanimous vote.

With no additional amendments, the main motion read as follows:

*The Plan Commission forward Plan Case No. 2181-T-12 to the Urbana City Council with a recommendation for approval as amended in the revised written staff report dated August 3, 2012 along with the following amendments:*

- 1. Amend Section V-13.H to read as such: **The sale of firearms as a home occupation shall require approval of a site security plan by the Chief of Urbana Police or his designee for renewal every three years.***
- 2. Amend Section VII-5. Special Use Terms and Conditions Subsection D, Number 1 to read as such: **A site security plan shall be submitted to the Urbana Chief of Police or his designee for his approval every three years as a condition for approval of a Special Use Permit.***
- 3. Amend Table V-1. Table of Uses - Change the level of review for Private Indoor Firing Range in the AG and CRE Zoning Districts from C (Conditional Use Permit) to S (Special Use Permit).*

4. *Amend Section VII-5. Special Use Terms and Conditions – Subsection D to add Number 3 and Subsection E to add Number 2 to read as such, “Hours of Service shall be limited to 9 a.m. to 9:00 p.m.”*
5. *Amend Section VII-5. Special Use Terms and Conditions – Subsection D to add Number 4 and Subsection E to add Number 3 to read as such, “No one under the legal age to purchase a firearm in the State of Illinois will be allowed on the premises without a parent or legal guardian.”*
6. *Amend Section VII-5. Special Use Terms and Conditions to add Subsection F to read as such, “Require notification for Special Use Permit to property owners within 500 feet of the subject property.”*

Roll call on the main motion and amendments was as follows:

Ms. Tompkins	-	Yes	Mr. Ash	-	Yes
Mr. Fell	-	Yes	Mr. Fitch	-	Yes
Mr. Otto	-	Yes	Mr. Pollock	-	Yes
Ms. Stake	-	No			

The motion was approved by a vote of 6-1.

Mr. Myers noted that Plan Case No. 2181-T-12 will be forwarded to City Council on Monday, August 20, 2012.

**Agenda Item #6**



**Staff Report  
Plan Commission**

**November 6, 2013**

*Continued from August 7, 2013, June 5, 2013, May 1, 2013,  
March 6, 2013 & February 6, 2013*

**Subject Property: N/A (Text Amendment)**

**Requested Action:** Text amendment to Section 8.05 of the Zoning Ordinance pertaining to procedure for approval of a Planned Unit Development.

**Nature of Request:** A text amendment to consider requiring applications for Final Planned Unit Development to be heard by the Plan Commission at a public hearing.

**Petitioner:** Village Board

**Summary**

Staff researched neighboring communities in an effort to determine “best practice” relative to approval process for Final Planned Unit Development projects. Lincolnwood currently requires review at a public meeting which is not fully noticed public hearings.

Of the eight communities researched, seven communities review PUD applications the same as Lincolnwood; Preliminary PUD is a fully noticed public hearing and Final PUD is a public meeting without full notice. Only one, Wilmette, reviews both Preliminary and Final PUD at fully noticed public hearings.

Therefore, staff recommends no change to the Zoning Code relative to procedure for Final Planned Unit Development.

*Note: Below is the summary provided at the August 7, 2013, June 5, 2013, May 1, 2013, March 6, 2013 & February 6, 2013 Plan Commission meeting. This matter was continued.*

Section 8.05 of the Zoning Ordinance outlines the full procedure for review of Planned Unit Development applications. The current process is as follows:

1. Step 1: Pre-Application Procedure – A mandatory process that include a Pre-Application Conference with the Board of Trustees. This is to take place at a public meeting however it is not a fully noticed public hearing.
2. Step 2: Conceptual Plan Procedure – An optional process in which the Plan Commission conducts an informal review at a regularly scheduled public meeting. Public meetings are not a fully noticed public hearing.
3. Step 3: Preliminary Approval Procedure – A mandatory process which is the public hearing held by the Plan Commission to consider the Preliminary PUD application. This meeting is held in accordance with all the requirements of notification for a public hearing.

4. Step 4: Final Approval Procedure – A required process to consider the Final PUD application to ensure consistency with the Preliminary PUD approval. Consideration of the Final PUD application is made by the Plan Commission at a regularly scheduled public meeting. Public meetings are not fully noticed public hearings.

Staff seeks consideration of a text amendment to modify the Final PUD approval process to require a fully noticed public hearing. Final PUD review is not necessarily routine in nature and as a result staff seeks the Plan Commission's input on requiring Final PUD approval to be a public hearing. If requested, staff will conduct research of nearby communities to determine best practice.



## Staff Report Plan Commission November 6, 2013

**Subject Property:**

3700 West Devon Avenue

**Zoning District:** MB Light  
Industrial/Business District

**Petitioner:** Bill Schrader on Behalf of  
Verizon Wireless, Tenant

**Nature of Request:** The petitioner  
seeks approval to replace wireless  
equipment on existing freestanding tower.



**Notification:** Notice of the November 6, 2013 meeting was published in the Lincolnwood Review on March 14, 2013. One Public Hearing Sign was installed at 3700 West Pratt Avenue.

**Summary of Request**

Bill Schrader as an authorized agent for Verizon is seeking Special Use authorization in order to replace three existing antennas with three new antennas as well as add new equipment approximately three feet below the existing antennas all on the existing Crown Castle freestanding tower at 3700 West Devon Avenue. The Zoning Code requires Special Use approval for wireless facilities.

The replacement antennas will be installed in the same location as the existing panels. Each of the three antenna arrays contains four antennas. Verizon Wireless proposes to remove and replace one antenna per array. The Zoning Code limits antennas to not exceed a maximum of six feet in height. Based on the information provided, staff has included a request for relief from this requirement. In addition to the three replacement antennas Verizon Wireless seeks to install additional equipment immediately below the existing antenna array.

The applicant has stated that the replacement and new equipment is needed in order to improve coverage and the quality of service to their customers.

**Related Village Action**

A search of Village records did not reveal any prior approval for the existing Verizon Wireless equipment. As a result, it is staff's interpretation that Verizon Wireless is required at this time

to seek the Special Use approval which is required for all wireless equipment sites. Staff does not have concern with the existing site as there are no records of complaints associated with the freestanding tower or the Verizon Wireless equipment more specifically. Since 2009 the Village has reviewed and approved four new wireless facilities (all co-location on existing structures). While Verizon Wireless is installing some new equipment, the proposal can largely be considered as an upgrade to an existing wireless facility.

**Documents Attached**

1. Special Use Public Hearing Application
2. Drawings Prepared by Terra Consulting Group, Ltd.



VILLAGE OF LINCOLNWOOD  
Community Development Department

Public Hearing Application  
Special Use & PUD

**SUBJECT PROPERTY**

Property Address: 3700 West Devon Avenue

Permanent Real Estate Index Number(s): 10-35-330-011-0000

Zoning District MB Lot Area: 2,790 sq. ft. (existing self support cell tower)

List all existing structures on the property. Include fencing, sheds, garages, pools, etc.

Existing Crown Castle self support cell tower, existing VZW equipment shelter, existing VZW emergency back-up generator, existing other carrier equipment on platform and existing security chain-link fencing.

Are there existing development restrictions affecting the property?     Yes   X   No  
(Examples: previous variations, conditions, easements, covenants)

If yes, describe: \_\_\_\_\_

**REQUESTED ACTION**

Special Use - Non-Residential

Planned Unit Development (PUD)

Special Use - Residential

Other

**PROJECT DESCRIPTION**

Describe the Request and Project: \_\_\_\_\_

Requesting SUP approval for Verizon Wireless proposed antenna swap on existing Crown Castle tower. The scope of work is to replace three (3) existing antennas with three (3) new antennas of similar style, add six (6) briefcase sized RRUs and one (1) Raycap junction box three feet below the platform, and add one (1) hybrid trunk cable. There will be no change to the tower height and no ground disturbance.

**PROPERTY OWNER/PETITIONER INFORMATION**

Property Owner(s):

Name: (List all beneficiaries if Trust): Crown Castle USA, Inc.

Address: 10 N. Martingale Road #185, Schaumburg, IL 60173

Telephone: ( 630 ) 229-3182 Fax: ( \_\_\_\_\_ ) \_\_\_\_\_ E-mail Address: rachel.arkema@crowncastle.com

Petitioner (if different from owner):

Name: Verizon Wireless Relationship to Property: Sublessee to Crown Castle

Address: 1515 E. Woodfield Road, Schaumburg, IL 60173

Telephone: ( 847 ) 706-1779 Fax: ( \_\_\_\_\_ ) \_\_\_\_\_ E-mail Address: \_\_\_\_\_  
charlene.schlager@verizonwireless.com

**REQUIRED ATTACHMENTS**

Check all documents that are attached:

- Plat of Survey X
- Site Plan X
- Proof of Ownership \_\_\_\_\_
- Floor Plans \_\_\_\_\_
- Elevations X
- Applicable Zoning Worksheet \_\_\_\_\_
- Photos of the property X
- PDF files of all drawings X

**For Office Use Only**

Fee: \_\_\_\_\_ Deposit: \_\_\_\_\_

Date Received: \_\_\_\_\_

Checked By: \_\_\_\_\_

The article(s), section(s) and paragraph(s) of the Village of Lincolnwood Zoning Ordinance from which the Action is being sought:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*\*The above documents are required for all applications. The Zoning Officer may release an applicant from specific required documents or may require additional documents as deemed necessary.*

**COST REIMBURSEMENT REQUIREMENT**

The Village requires reimbursement of certain out-of-pocket costs incurred by the Village in connection with applications for zoning approvals and relief. These costs include, but are not limited to, mailing costs, attorney and engineer costs, and other out-of-pocket costs incurred by the Village in connection with this application. In accordance with Section 5.02 of the Village of Lincolnwood Zoning Ordinance, both the petitioner and the property owner shall be jointly and severally liable for the payment of such out-of-pocket costs. Out-of-pocket costs incurred shall be first applied against any hearing deposit held by the Village, with any additional sums incurred, to be billed at the conclusion of the hearing process.

Invoices in connection with this application shall be directed to:

Name: Insite RE, Inc. (Authorized Verizon Wireless Agent)  
 Address: 2210 Midwest Road, Suite 213  
 City, State: Oak Brook, IL 60523

**ATTESTMENT AND SIGNATURE**

I hereby state that I have read and understand the Village cost reimbursement requirement, as well as the requirements and procedures outlined in Article V of the Village Zoning Ordinance, and I agree to reimburse the Village within 30 days after receipt of an invoice therefor. I further attest that all statements and information provided in this application are true and correct to the best of my knowledge and that I have vested in me the authority to execute this application.

PROPERTY OWNER

PETITIONER (If different than property owner)

\_\_\_\_\_  
Signature Date

*Bill Schrader* 9/20/13  
\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
PRINT NAME

Bill Schrader (Insite RE, Inc. - Authorized VZW Agent)  
 PRINT NAME  
 2210 Midwest Road, Suite 213  
 Oak Brook, IL 60523  
 (651) 747-6186 schrader@insite-inc.com



# VILLAGE OF LINCOLNWOOD

## COMMUNITY DEVELOPMENT DEPARTMENT

### SPECIAL USE STANDARDS

To be approved, each special use request must meet certain specific standards. These three standards are listed below. After each listed standard, explain how the special use request satisfies the listed standard. Use additional paper if necessary.

1. Please explain how the use is necessary for the public convenience at this location, and the subject property is deemed suitable for the use. (Please explain in detail)

The proposed antenna upgrade will improve coverage, the quality of the wireless infrastructure and improve service to the surrounding area. Reliable updated wireless technology provides vital communications commonly used by local residents, businesses and emergency personnel for a wide variety of communication needs, thereby promoting the general public's health, safety, morals, comfort and overall general welfare. The subject property and existing tower are deemed suitable and has the capacity to accommodate the proposed new loading per passing structural analysis conducted by a licensed Illinois structural engineer.

2. Please explain how the use is so designed, located and proposed to be operated that the public health, safety and welfare will be protected.

The existing facility and proposed modifications are designed and operate in compliance with all local, state and federal regulations that govern such a facility.

3. Please explain how this use would not cause substantial injury to the value of other property in the neighborhood in which it is located.

The site does not produce any material noise, glare, smoke, debris or traffic flow disruption or generate any other public nuisance. Therefore, the proposed antenna modification will not injure the appropriate use of neighboring property or the peaceful enjoyment or property values of the surrounding property.

4. The special use would not cause substantial injury to the value of other property in the neighborhood in which it is located.

The site does not produce any material noise, glare, smoke, debris or traffic flow disruption or generate any other public nuisance. Therefore, the proposed antenna modification will not injure the appropriate use of neighboring property or the peaceful enjoyment or property values of the surrounding property.

5. The special use is consistent with the goals and policies of the Comprehensive Plan.

The proposed antenna upgrade on the existing Crown Castle tower site will improve coverage and the quality of the wireless infrastructure and improved service to the surrounding area.

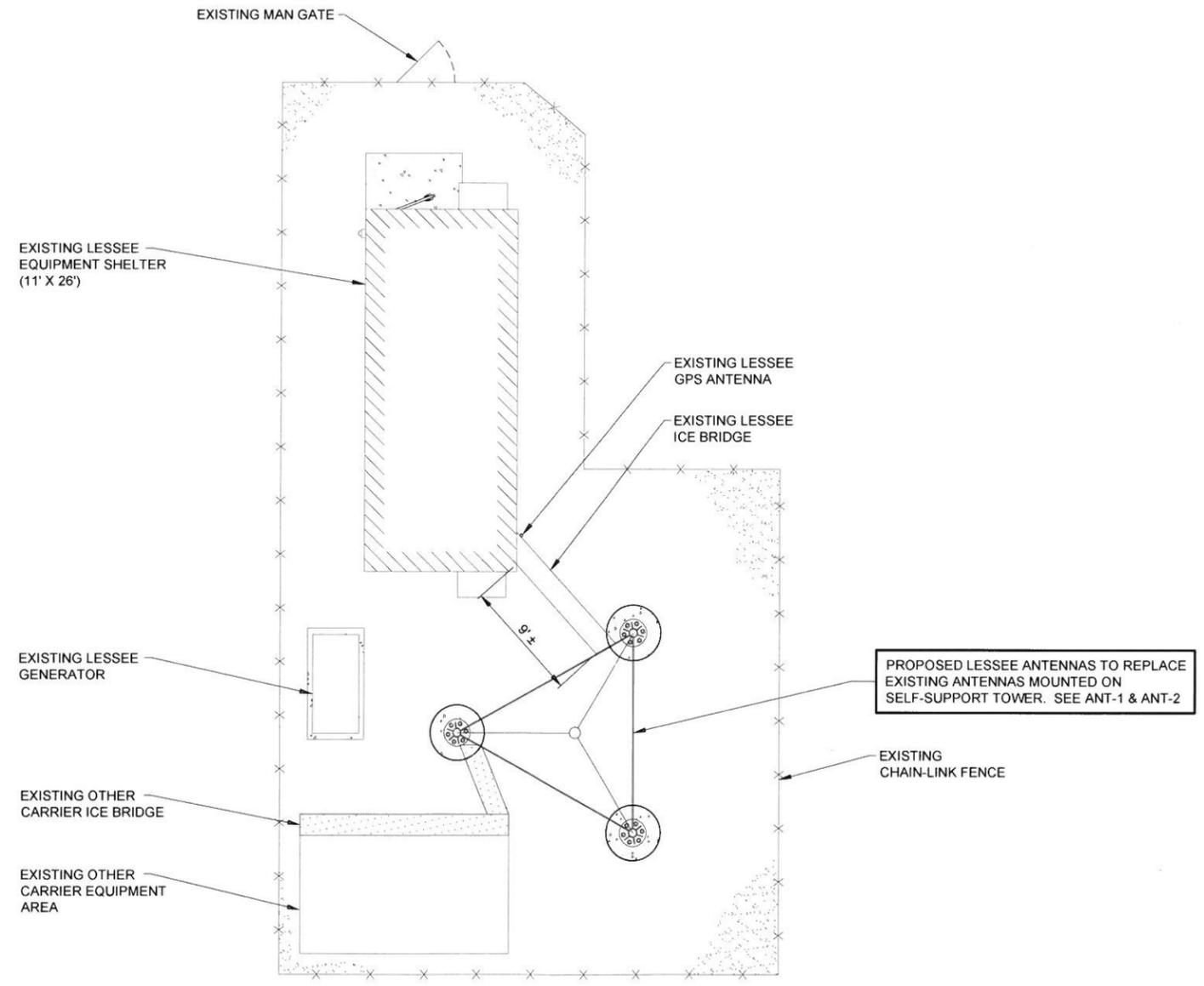
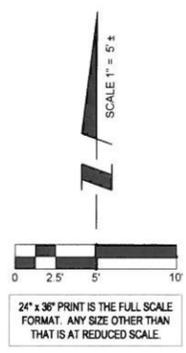
6. Please explain how the special use is so designed to provide adequate utilities, access roads, drainage, or necessary facilities.

All necessary utilities, access roads, security fencing, and equipment shelters are currently in place at the site. There will be no ground disturbance and work will be performed on the existing Crown Castle self support tower.

7. Please explain how the special use is so designed to provide ingress and egress to minimize traffic congestion on public streets.

All necessary utilities, access roads, security fencing, and equipment shelters are currently in place at the site. There will be no ground disturbance and all work will be performed on the existing Crown Castle self support tower.





THIS SITE PLAN WAS CREATED OFF OF FIELD MEASUREMENTS BY THE DESIGNER. AS BOUNDARY SURVEY WAS NOT SUPPLIED FOR PURPOSES OF SITE LAYOUT.

1 SITE LAYOUT

**CHICAGO SMSA**  
*limited partnership*  
 d/b/a VERIZON WIRELESS

**TERRA CONSULTING GROUP, LTD.**  
 600 Busse Highway  
 Park Ridge, IL 60068  
 Ph: 847/698-6400  
 Fax: 847/698-6401

REVISIONS		DATE	BY
NO.	DESCRIPTION		
1	ISSUED FOR REVIEW	04/22/13	MPC
	ISSUED FOR FINAL	06/13/13	PP

LOC. # 126946

LINCWOOD\_HD

3700 W. DEVON AVE.  
 LINCOLNWOOD, IL 60659

DRAWN BY:	MPC
CHECKED BY:	DM
DATE:	02/18/13
PROJECT #:	68-180

SHEET TITLE  
 SITE LAYOUT

SHEET NUMBER  
**C-1**

**CHICAGO  
SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS

**TERRA  
CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

REVISIONS		DATE	BY
NO	DESCRIPTION		
1	ISSUED FOR REVIEW	04/22/13	MPC
	ISSUED FOR FINAL	06/13/13	PP

LOC. # 126946

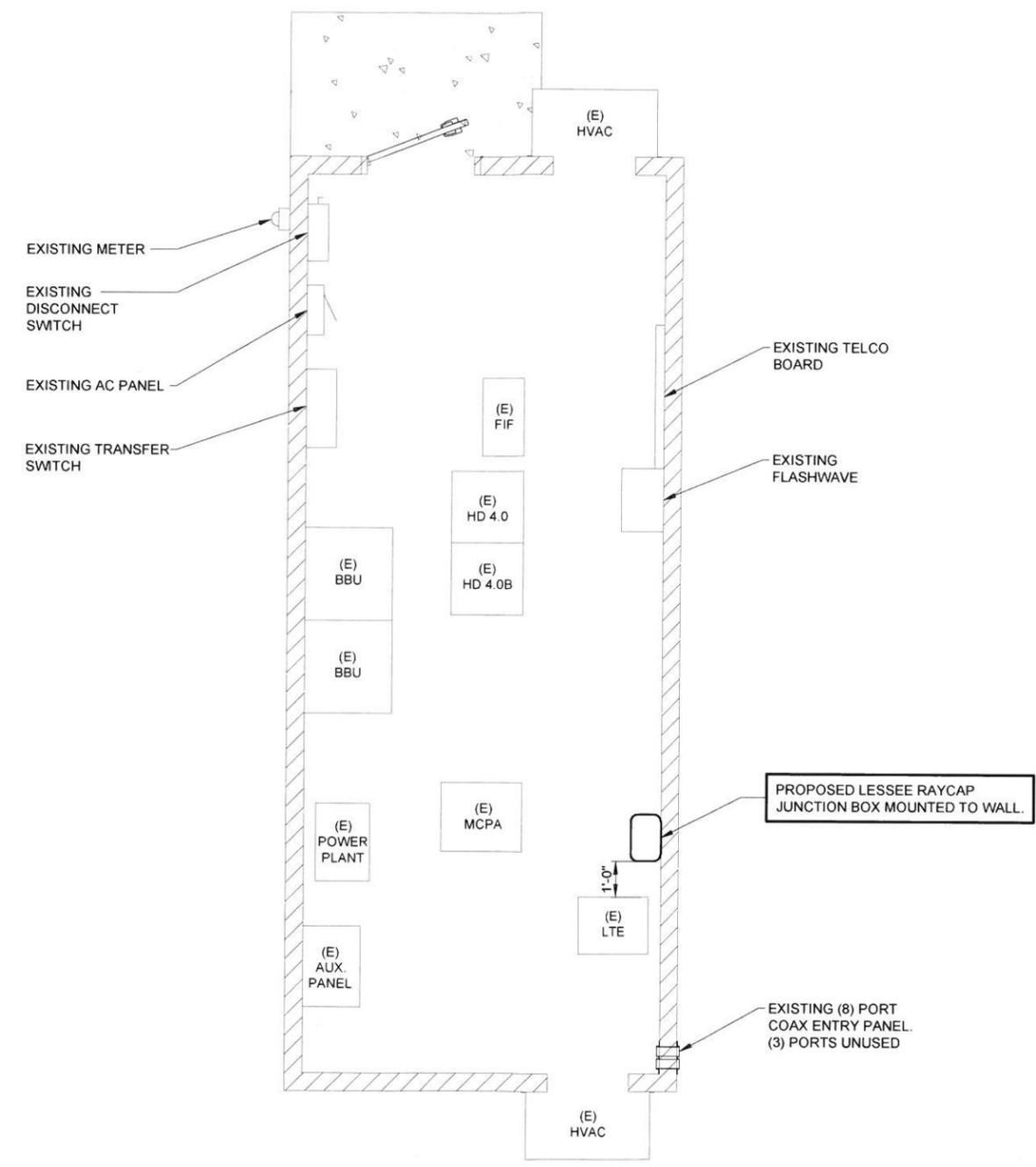
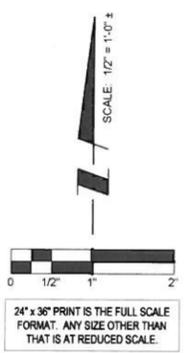
LINCWOOD\_HD

3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY: MPC  
CHECKED BY: DM  
DATE: 02/18/13  
PROJECT #: 68-180

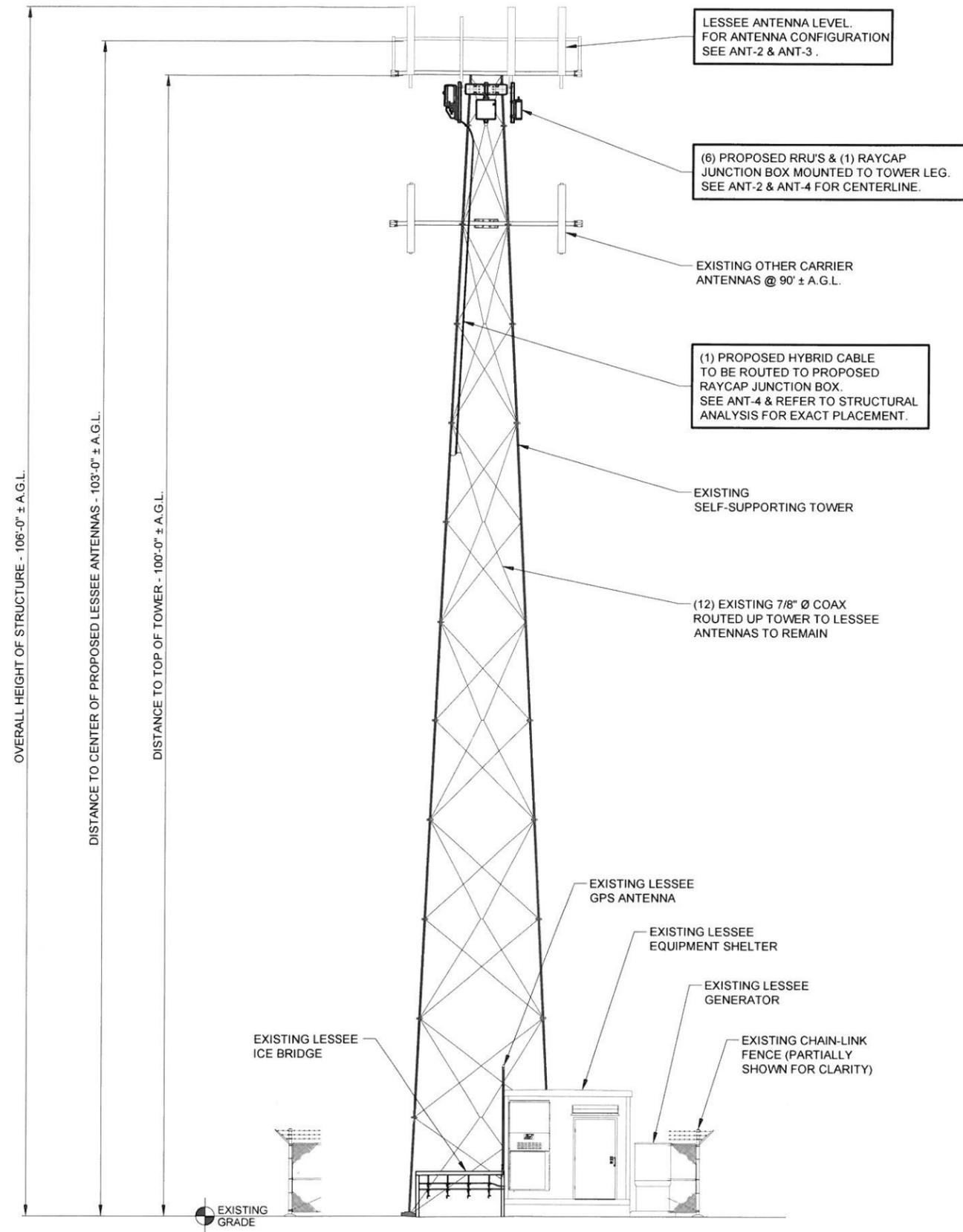
SHEET TITLE  
SHELTER LAYOUT

SHEET NUMBER  
**A-1**



NOTE:  
G.C. TO FIELD VERIFY PRIOR TO INSTALLATION THAT THE RAYCAP JUNCTION BOX WILL HAVE 24" OF VERTICAL CLEARANCE TO ALLOW FOR THE COVER TO SLIDE OFF.

NOTE:  
THIS DRAWING IS FOR EXHIBIT  
AND LAYOUT PURPOSES ONLY.  
  
FINAL EXHIBIT PENDING  
STRUCTURAL ANALYSIS BY  
OTHERS



1 SOUTH ELEVATION  
SCALE: 3/16" = 1'-0" ±

24" x 36" PRINT IS THE FULL SCALE  
FORMAT. ANY SIZE OTHER THAN  
THAT IS AT REDUCED SCALE.

**CHICAGO  
SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS

**TERRA**  
CONSULTING GROUP, LTD.  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

REVISIONS		DATE	BY	MP	PP
NO	DESCRIPTION	04/22/13	MPC		
1	ISSUED FOR FINAL	06/13/13			

LOC. # 126946

LINCWOOD\_HD

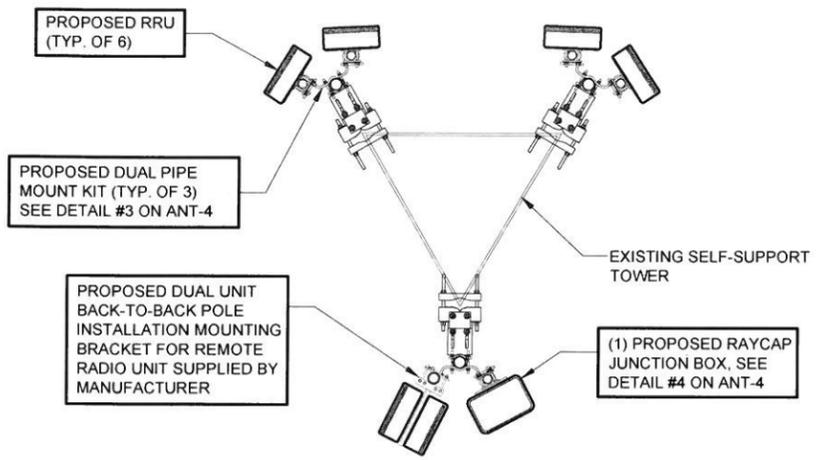
3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY:	MPC
CHECKED BY:	DM
DATE:	02/18/13
PROJECT #:	68-180

SHEET TITLE  
SITE  
ELEVATION

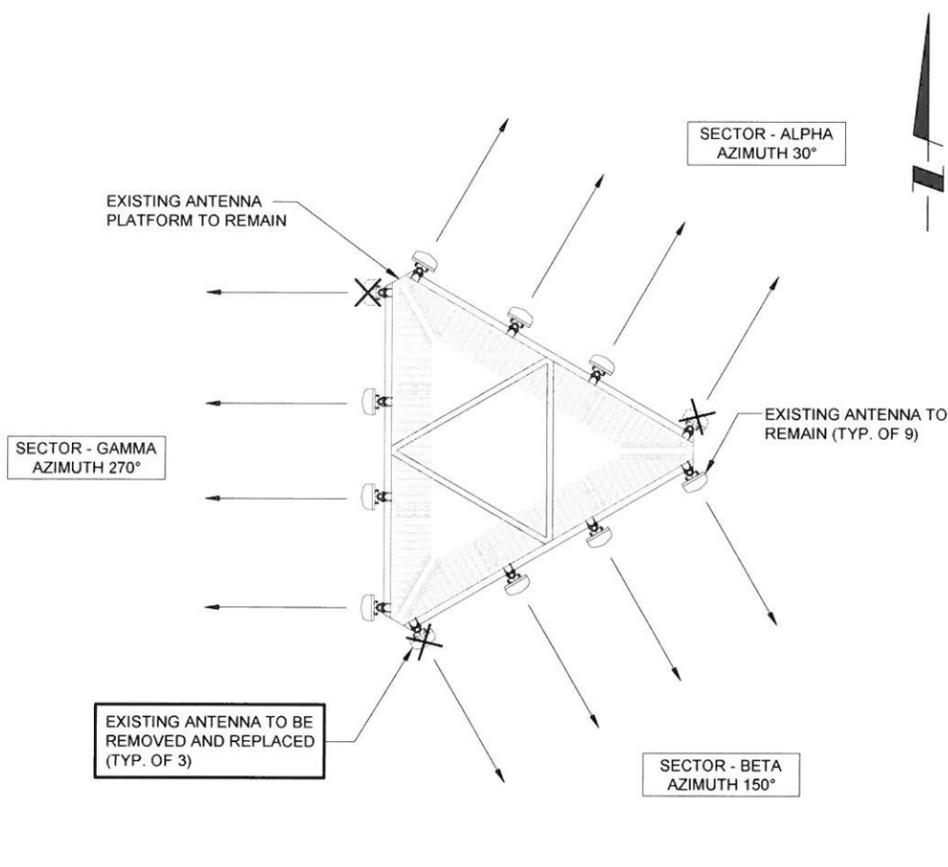
SHEET NUMBER  
**ANT-1**

- NOTES:**
1. THIS DRAWING IS FOR EXHIBIT AND LAYOUT PURPOSES ONLY.
  2. FINAL EXHIBIT PENDING STRUCTURAL ANALYSIS BY OTHERS. NO ANTENNA OR LINE WORK TO BEGIN PRIOR TO CONFIRMATION OF ADEQUATE TOWER AND MOUNT CAPACITY.
  3. G.C. TO VERIFY ANTENNA TECHNOLOGIES PRIOR TO REMOVAL OF ANY ANTENNAS.
  4. REFER TO ANT-3 & ANT-3A FOR DETAIL ON EXISTING & PROPOSED RF CONFIGURATION.
  5. G.C. TO ORIENT & PLACE PROPOSED RAYCAP JUNCTION BOX CLOSEST TO HYBRID CABLE ROUTE.

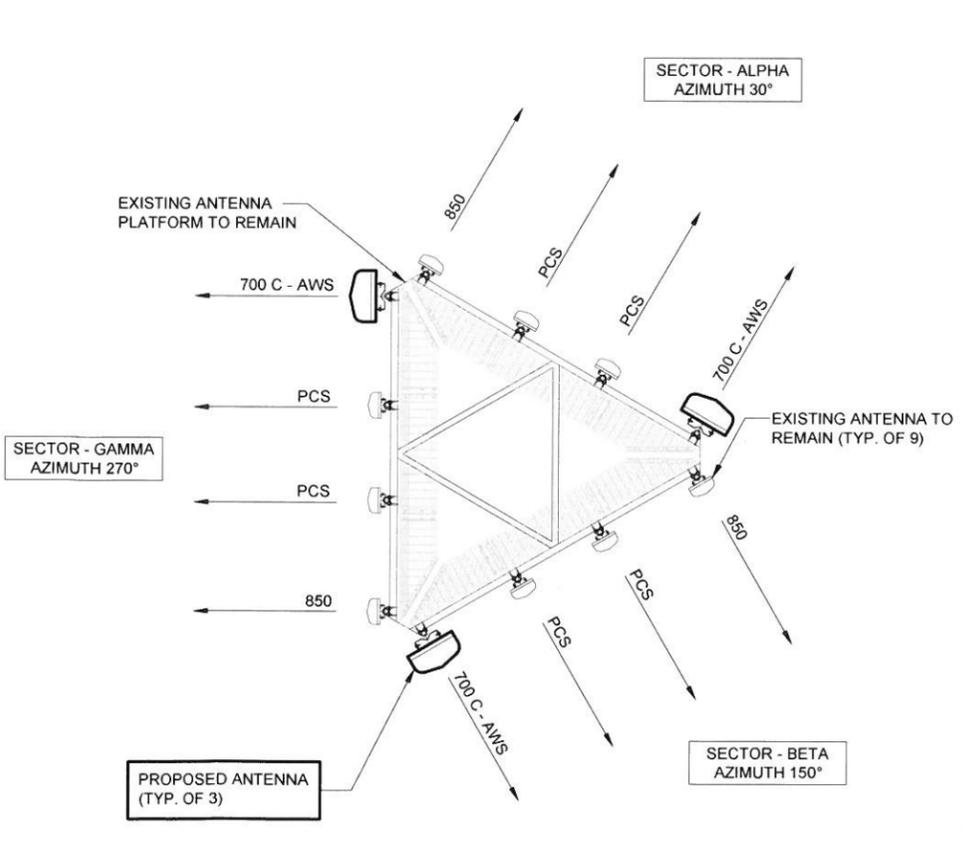


2 RRU & RAYCAP JUNCTION BOX ANTENNA LAYOUT  
N.T.S.

NOTE: REFER TO C-1 SHEET AND NOTES ON THIS PAGE FOR TOWER AND RRU/RAYCAP ORIENTATION



1 EXISTING ANTENNA LAYOUT  
N.T.S.



3 PROPOSED ANTENNA LAYOUT  
N.T.S.

**CHICAGO SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS

**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
PH: 847/698-6400  
Fax: 847/698-6401

NO.	DESCRIPTION	DATE	BY	MPC	PP
		04/22/13	MPC		
1	ISSUED FOR FINAL	06/13/13			

LOC. # 126946

LINCWOOD\_HD

3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY:	MPC
CHECKED BY:	DM
DATE:	02/18/13
PROJECT #:	68-180

SHEET TITLE  
ANTENNA LAYOUT

SHEET NUMBER

**ANT-2**

**EQUIPMENT CHANGE REQUEST FORM- ECR**

Cell Name: LINCWOOD\_HD  
 Location Number: 0  
 Date of Request: 12/27/2012  
 RF Engineer: Mazher Iqbal  
 Market: Elgin2  
 Cell ID: 246  
 Address: 3700 West Devon  
 City/State/Zip: Lincolnwood, IL, 60659

**EXISTING CONFIGURATION**

Sector	Position	Antenna		Antenna Manufacturer	Antenna Model	Centerline	Azimuth	Variable Tilt	Mechanical Tilt
		Port	RF Path						
Alpha	A1	L1	CEL - RxTx0	CSS	X7C-865-6	102	30	6	1
		L2	CEL - RxTx1						
		H1	Unused at this time						
		H2	Unused at this time						
	A2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	30	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
	A3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	30	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
A4	L1	LTE C - RxTx0	CSS	X7C-865-6	102	30	6	1	
	L2	LTE C - RxTx1							
	H1	Unused at this time							
	H2	Unused at this time							
Beta	B1	L1	CEL - RxTx0	CSS	X7C-865-6	102	150	6	1
		L2	CEL - RxTx1						
		H1	Unused at this time						
		H2	Unused at this time						
	B2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	150	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
	B3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	150	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
B4	L1	LTE C - RxTx0	CSS	X7C-865-6	102	150	6	1	
	L2	LTE C - RxTx1							
	H1	Unused at this time							
	H2	Unused at this time							
GAMMA	G1	L1	CEL - RxTx0	CSS	X7C-865-6	102	270	6	1
		L2	CEL - RxTx1						
		H1	Unused at this time						
		H2	Unused at this time						
	G2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	270	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
	G3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	270	2	1
		L2	Unused at this time						
		H1	Unused at this time						
		H2	Unused at this time						
G4	L1	LTE C - RxTx0	CSS	X7C-865-6	102	270	6	1	
	L2	LTE C - RxTx1							
	H1	Unused at this time							
	H2	Unused at this time							

Comments

1 EXISTING ANTENNA CONFIGURATION  
N.T.S.

**EQUIPMENT CHANGE REQUEST FORM- ECR**

Cell Name: LINCWOOD\_HD  
 Location Number: 0  
 Date of Request: 12/27/2012  
 RF Engineer: Mazher Iqbal  
 Market: Elgin2  
 Cell ID: 246  
 Address: 3700 West Devon  
 City/State/Zip: Lincolnwood, IL, 60659

**PROPOSED CONFIGURATION**

Sector	Pos	Antenna		Antenna Manufacturer	Antenna Model	Centerline	Azimuth	Variable Tilt	Mechanical Tilt	Action
		Port	RF Path							
Alpha	A1	L1	CEL - RxTx0	CSS	X7C-865-6	102	30	6	1	Unchanged
		L2	CEL - RxTx1							
		H1	Unused at this time							
		H2	Unused at this time							
	A2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	30	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
	A3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	30	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
Beta	B1	L1	CEL - RxTx0	CSS	X7C-865-6	102	150	6	1	Unchanged
		L2	CEL - RxTx1							
		H1	Unused at this time							
		H2	Unused at this time							
	B2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	150	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
	B3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	150	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
B4	L1	LTE C - RxTx0	CSS	X7C-865-6	102	150	6	1	Unchanged	
	L2	LTE C - RxTx1								
	H1	Unused at this time								
	H2	Unused at this time								
GAMMA	G1	L1	CEL - RxTx0	CSS	X7C-865-6	102	270	6	1	Unchanged
		L2	CEL - RxTx1							
		H1	Unused at this time							
		H2	Unused at this time							
	G2	L1	PCS - RxTx0	JAYBEAM	PCSA065-19-2	102	270	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
	G3	L1	PCS - RxTx1	JAYBEAM	PCSA065-19-2	102	270	2	1	Unchanged
		L2	Unused at this time							
		H1	Unused at this time							
		H2	Unused at this time							
G4	L1	LTE C - RxTx0	CSS	X7C-865-6	102	270	6	1	Unchanged	
	L2	LTE C - RxTx1								
	H1	Unused at this time								
	H2	Unused at this time								

Comments

PPC CONNECTORS ONLY

2 PROPOSED ANTENNA CONFIGURATION  
N.T.S.

**CHICAGO  
SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS



NO	DATE	BY	DESCRIPTION
1	04/22/13	MPC	ISSUED FOR REVIEW
	06/13/13	PP	ISSUED FOR FINAL

LOC. # 126946

LINCWOOD\_HD

3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY: MPC  
 CHECKED BY: DM  
 DATE: 02/18/13  
 PROJECT #: 68-180

SHEET TITLE  
ANTENNA  
INFORMATION

SHEET NUMBER

**ANT-3**

ESTIMATED MAIN LINE HYBRID LENGTH			
ANTENNA CENTERLINE (±)	ICE BRIDGE LENGTH (±)	SHELTER (±)	TOTAL (±)
103'	9'	11'	123'

**Combiner - Cable Data**

Existing				
Diplexer	Location	Diplexer Manufacturer	Diplexer Model	Count
	Top (Platform)			
	Bottom (Shelter)			
Coax	Sector	Coax Manufacturer	Type	Size
	Alpha	Andrew		7/8"
	Beta	Andrew		7/8"
	Gamma	Andrew		7/8"

Proposed						
Passive Components	Location	Manufacturer	Component Model	Count	Action	
	Top (Platform)	Andrew				
	Bottom (Shelter)	Andrew				
	Top (Platform)	CSS	CBC-7821DF (Triplexer)	6	Install	
	Bottom (Shelter)	Andrew	CBC-7821DF (Triplexer)	6	Install	
	Top (Platform)	Ericsson	RRU - AWS	6	Install	
	Top (Platform)	Raycap	RCMDC-3315-PF-48	1	Install	
	Bottom (Shelter)	Raycap	RCMDC-3315-PF-48	1	Install	
Coax	Sector	Coax Manufacturer	Type	Size	Count	Action
	Alpha	ANDREW	LDF7-50A	7/8"	4	Existing
	Beta	ANDREW	LDF7-50A	7/8"	4	Existing
	Gamma	ANDREW	LDF7-50A	7/8"	4	Existing
	AWS	Andrew	RFA1608-16S26	1 5/8"	1	Install

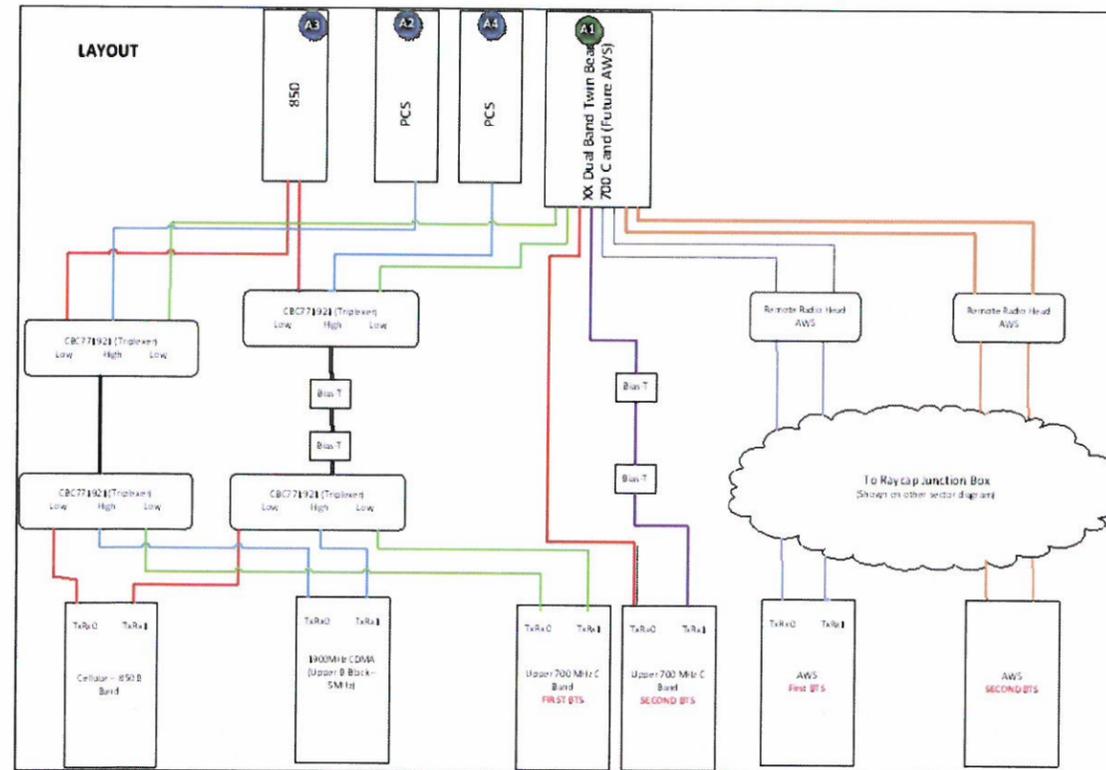
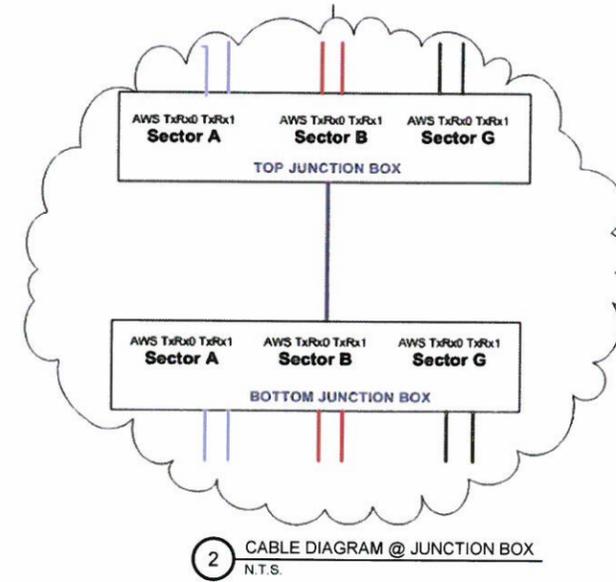
**Comments**

**Install Ericsson RRU 12 and Remote Radio Hybrid Cable RFA1608-16S26 (for AWS)**

A Bias TEE has been specified, the following control cable model numbers may be used based on the length needed:

- Kathrein - 1m - 84010407
- Kathrein - 2m - 84010408
- Kathrein - 5m - 84010409
- Kathrein - 10m - 80410410
- Andrew - 2m - ATCB-B01-002
- Andrew - 5m - ATC-B01-005
- Andrew - 10m - ATCB-B01-010

1 COMBINER CABLE DATA INFORMATION  
N.T.S.



3 CABLE DIAGRAM  
N.T.S.

**CHICAGO SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS

**TERRA CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

NO.	REVISIONS	DESCRIPTION	DATE	BY	MPC	PP
1	ISSUED FOR REVIEW		06/13/13			
	ISSUED FOR FINAL					

LOC. # 126946

LINCWOOD\_HD

3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY:	MPC
CHECKED BY:	DM
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PROJECT #:	68-180

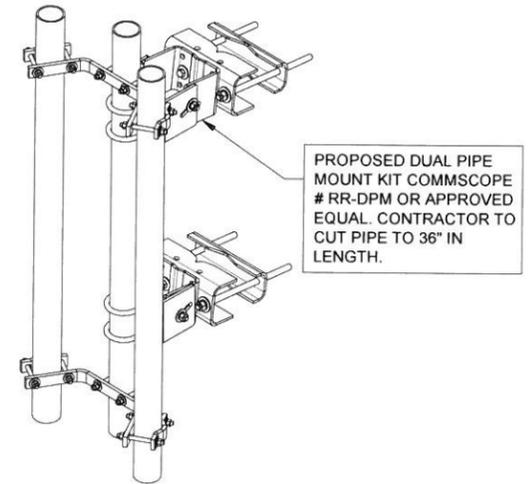
SHEET TITLE  
**COMBINER CABLE DATA & CABLE DIAGRAM**

SHEET NUMBER

**ANT-3A**

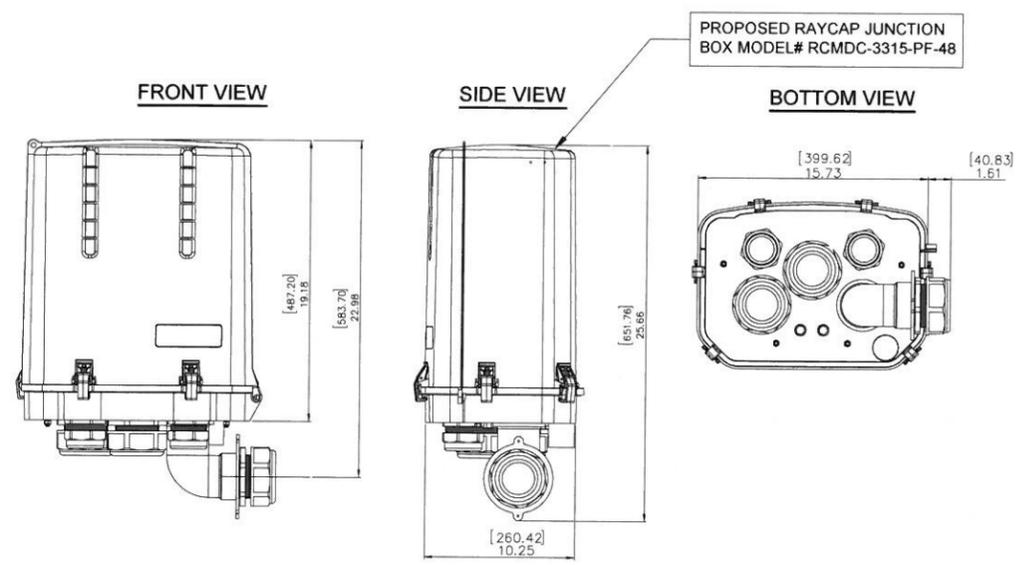
ORDERING INFORMATION FOR DUAL PIPE MOUNT KIT

APPLICATION: LATTICE TOWER  
 SIZE: 18" (457.2mm) WIDE  
 MOUNTS TO: STRAIGHT OR TAPERED LEGS UP TO 8-5/8" O.D. (219.1 mm O.D.), 8" (203.2mm) ANGLE 60°, OR 6" (152.4mm) ANGLE 90°  
 MATERIAL: HOT DIP GALVANIZED STEEL  
 INCLUDES: MOUNT, TAPPER, BRACKETS, PIPE, & HARDWARE.  
 WEIGHT, lb (KG): 241 (109.2)

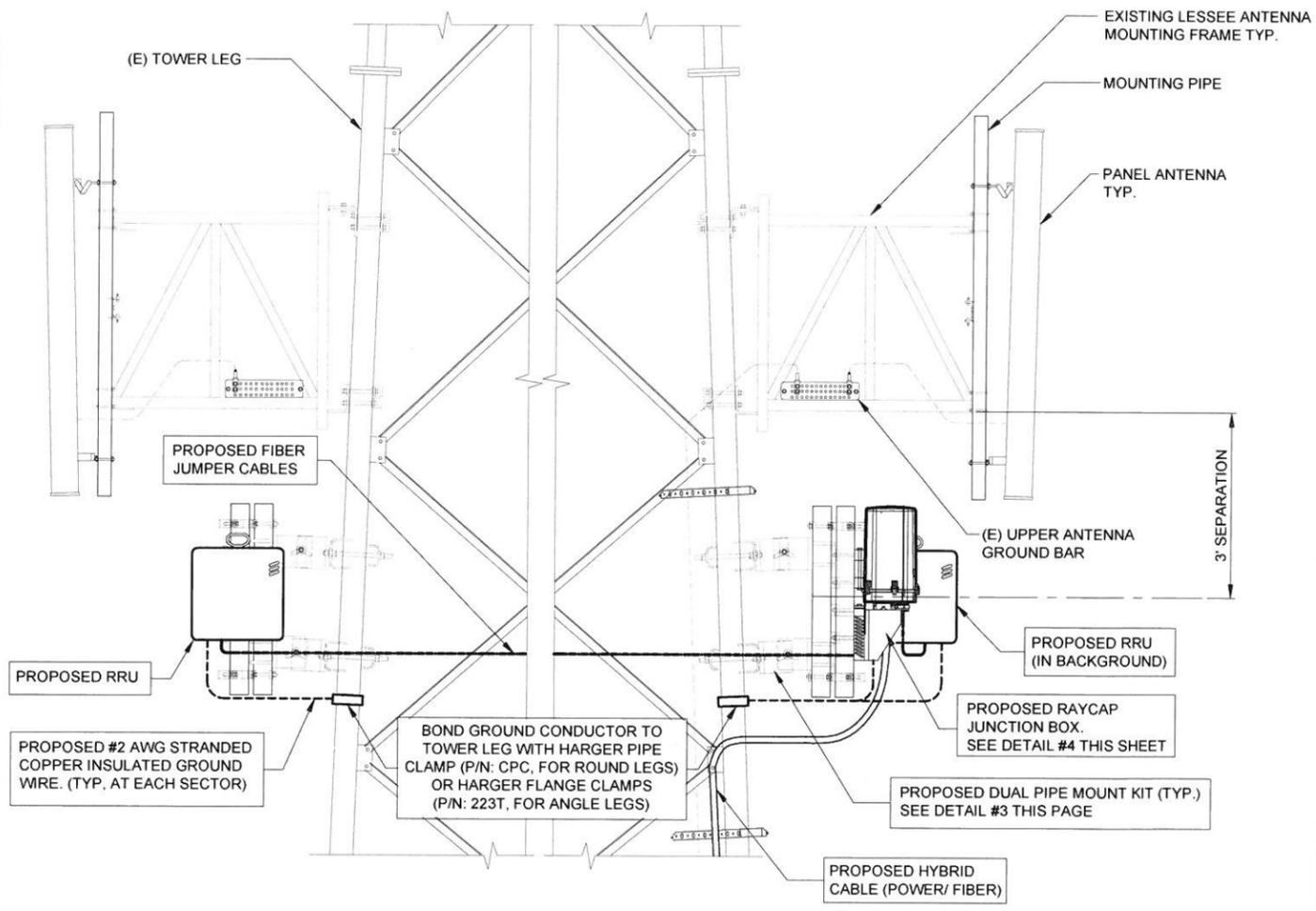


**3** DUAL PIPE MOUNT KIT  
 SCALE: N.T.S.

SPECIFICATIONS DC SURGE PROTECTION FOR RRU/INTEGRATED ANTENNA RADIO HEAD [mm]  
 APPLICATION: TOWER / BASE / ROOFTOP / ROOFTOP DISTRIBUTION MODELS INCHES  
 WEIGHT: 32LBS (14.51 KG)



**4** RAYCAP JUNCTION BOX DETAIL  
 SCALE: N.T.S.



**1** ANTENNA, RRU & RAYCAP JUNCTION BOX MOUNTING DETAIL  
 SCALE: N.T.S.

**CHICAGO SMSA**  
 limited partnership  
 d/b/a VERIZON WIRELESS

**TERRA CONSULTING GROUP, LTD.**  
 600 Busse Highway  
 Park Ridge, IL 60068  
 Ph: 847/698-6400  
 Fax: 847/698-6401

NO.	DESCRIPTION	DATE	BY	
			MPC	PP
1	ISSUED FOR REVIEW	04/22/13		
	ISSUED FOR FINAL	06/13/13		

LOC. # 126946  
 LINCWOOD\_HD  
 3700 W. DEVON AVE.  
 LINCOLNWOOD, IL 60659

DRAWN BY: MPC  
 CHECKED BY: DM  
 DATE: 02/18/13  
 PROJECT #: 68-180

SHEET TITLE  
**DETAILS**  
 SHEET NUMBER  
**ANT-4**



**1** EXISTING TOWER PHOTO  
SCALE: N.T.S.



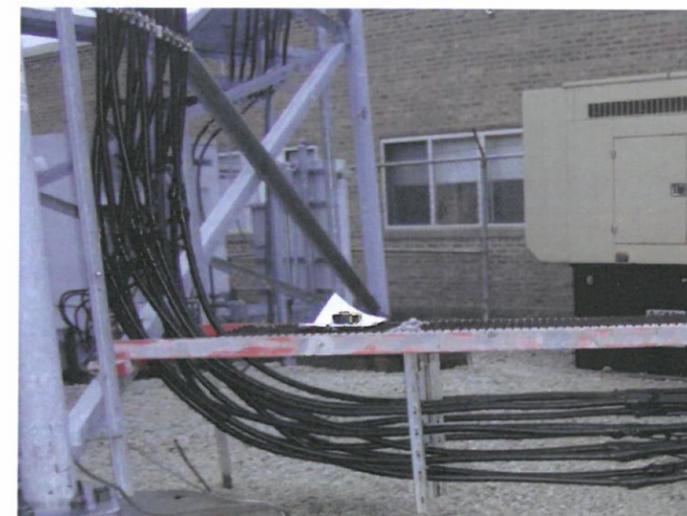
**2** TYPICAL LESSEE ANTENNA SECTOR  
SCALE: N.T.S.



**3** PROPOSED EQUIPMENT ROOM JUNCTION BOX LOCATION  
SCALE: N.T.S.



**4** LESSEE ENTRY PANEL  
SCALE: N.T.S.



**5** LESSEE COAX ROUTE ON TOWER  
SCALE: N.T.S.

**CHICAGO  
SMSA**  
limited partnership  
d/b/a VERIZON WIRELESS

**TERRA  
CONSULTING GROUP, LTD.**  
600 Busse Highway  
Park Ridge, IL 60068  
Ph: 847/698-6400  
Fax: 847/698-6401

NO	DESCRIPTION	DATE	BY
		ISSUED FOR REVIEW	MPC
1	ISSUED FOR FINAL	06/13/13	PP

LOC. # 126946

LINCWOOD\_HD

3700 W. DEVON AVE.  
LINCOLNWOOD, IL 60659

DRAWN BY: MPC  
CHECKED BY: DM  
DATE: 02/18/13  
PROJECT #: 68-180

SHEET TITLE  
PHOTO EXHIBIT

SHEET NUMBER  
**EX-1**

**Agenda Item #8**



**Staff Report  
Plan Commission  
November 6, 2013**

**Subject Property:** N/A (Text Amendment)

**Requested Action:** Text amendment to Section 2.02 of the Zoning Code pertaining to definition of "Fence Material, Unacceptable" and Section 3.13 of the Zoning Code relative to fence design.

**Petitioner:** Village Board

**Summary**

Earlier this year, the Zoning Board of Appeals (ZBA) considered an application for a variation to permit a replacement fence manufactured from custom-blended polyvinyl chloride (PVC). This type of fence would be considered a plastic and/or synthetic fence. The Zoning Code defines Unacceptable Fence Material as (underline added for emphasis):

**“FENCE MATERIAL, UNACCEPTABLE**

Materials such as concrete block, cinder block, plank lumber over six inches in width, scrap lumber, scrap materials, barbed wire (except at the top of a fence in an M District where not abutting a residential lot or in any zoning district where used to enclose utility or telecommunications facilities), pallet lumber, plastic pipe, plastic or synthetic materials, exterior insulation finish systems, combinations of materials, "chicken wire mesh" (except as allowed immediately around compactly planted vegetable gardens, as seasonally needed in rear and side yards only, square wire farm fence, in residential zones welded wire fence with members less than 1/2 inches in diameter, fabric, burlap, plastic sheets (except approved synthetic composite materials), wood and plastic snow fence, rubble and debris and open fences with obstructions.”

The ZBA recommended by a 3-2 vote approval of the requested variation. The Village Board during deliberation could not reach a consensus on the requested variation. The Board referred to the Plan Commission consideration of a possible Text Amendment relative to the list of Unacceptable Fence Materials. The Board continued the variation request to April 1, 2014 in order to allow the Plan Commission and opportunity to conduct the public hearing to consider appropriate fence materials.

Staff seeks consideration of a text amendment to modify the Unaccepted Fence Material definition and associated fence design requirements. More specifically, the Plan Commission is tasked with consideration of plastic or synthetic materials. The Plan

Commission may consider the appropriateness of a material based on two primary factors: 1) aesthetics and 2) durability.

### **Research**

Staff reviewed the Zoning Code requirements of the neighboring communities that are often reviewed when matters of Text Amendments are considered. Initial research of neighboring communities reveals:

1. One community (Evanston) permits PVC fences subject to certain criteria,
2. Seven communities do not clearly restrict PVC fencing, therefore presumed to permit,
3. Two communities do not permit PVC fencing (Glenview and Park Ridge) but do allow for other synthetic material such as “faux wood” and “simulated wood”.

Staff also conducted preliminary research on the advantages/disadvantages of PVC specifically. Below is an initial assessment however, staff continues to seek out industry professionals and standards to better assist with the “durability” consideration.

- PVC advantages:
  - Does not require painting or sealing,
  - Won't warp, rot, splinter or blister (per bobvila.com),
  - Easy to clean,
  - Higher initial cost compared to most woods, but less expensive over time,
  - Manufactured products, so it can be warrantied.
- PVC fence disadvantages:
  - Can break under force,
  - Limited number of styles,
  - Cannot replace discontinued parts,
  - Complicated construction,
  - Posts and rails may require metal stiffeners,
  - Considered environmentally unfriendly (per bobvila.com) because toxins are produced in its manufacture and the material can be difficult to recycle.

At the November 2, 2013 meeting staff seeks a discussion on the general appropriateness of plastic and synthetic fence materials. If the desire is to continue prohibiting such fence materials the motion to the Village Board is to recommend no change; if however, the desire is to permit plastic and synthetic materials the Plan Commission should discuss if all synthetic materials should be allowed or if a limitation on specific materials should be made (i.e. PVC only).

# Memorandum

To: Chair and Members  
Plan Commission

From: Aaron N. Cook, AICP  
Community Development Manager

Date: November 1, 2013

**Subject: 2014 Meeting Schedule**

Once again, it is that time of year to consider next year's meeting dates!

Attached for your consideration is the proposed 2014 schedule of Commission meetings. This schedule generally follows the Commission's practice of meeting on the first Wednesday with the fourth Wednesday of the month scheduled for Workshops.

In reviewing the proposed meeting dates for 2014, staff found some potential conflicts with major national holidays or religious observances and proposes the following changes to the Commission's general meeting schedule:

- January meeting changed to Second Wednesday due to the New Year
- No Workshop date in March due to Spring Break
- No Workshop date in September due to Rosh Hashanah
- No Workshop date in November due to Thanksgiving
- No Workshop date in December due to Christmas

If upon review Commissioners find no desired changes with these proposed dates, adoption of this 2014 meeting calendar is recommended.

**Recommended Motion:** Move and second to adopt the 2014 Commission meeting schedule as proposed.



# Lincolnwood Plan Commission

## 2014 Meeting Schedule

Monthly Plan Commission meetings are generally held on the first Wednesday of each month with the fourth Wednesday of each month reserved for Workshops. Unless otherwise posted, all Commission meetings begin at **7:00 p.m.** and are held in the Council Chambers Room of Village Hall, 6900 North Lincoln Avenue, Lincolnwood, Illinois.

<b><u>2014 Calendar of Meetings</u></b>	<b><u>2014 Calendar of Workshops</u></b>
Wednesday January 8*	Wednesday January 22
Wednesday February 5	Wednesday February 26
Wednesday March 5	March – None
Wednesday April 2	Wednesday April 23
Wednesday May 7	Wednesday May 28
Wednesday June 4	Wednesday June 25
Wednesday July 2	Wednesday July 23
Wednesday August 6	Wednesday August 27
Wednesday September 3	September – None
Wednesday October 1	Wednesday October 22
Wednesday November 5	November – None
Wednesday December 3	December – None

\* 2<sup>nd</sup> Wednesday due to New Year's Holiday

Workshop meetings are not scheduled in March, September, November or December due to Spring Break, Rosh Hashanah, Thanksgiving and Christmas holidays