

STORY COUNTY PLANNING AND DEVELOPMENT
STORY COUNTY ADMINISTRATION
900 6TH STREET
NEVADA, IOWA 50201-2087
515-382-7245



"Commitment, Vision, Balance"

**MINUTES
STORY COUNTY
PLANNING AND ZONING COMMISSION**

AN AUDIO RECORDING OF THE FULL MEETING MAY BE FOUND IN THE PLANNING AND DEVELOPMENT DEPARTMENT, OR BY VISITING WWW.STORYCOUNTYIOWA.GOV

DATE: December 2, 2020	Cheryl Moss (Zoom)	2020
	*PJ McBride	2021
CALL TO ORDER: 4:00 PM	Kathy Mens, Vice Chair (Zoom) (4:03)	2022
PLACE: Zoom Meeting Originating	Wendie Schneider (Zoom)	2023
From Administration Building	Ben Jensen (Zoom)	2020
	Ray Lee	2023
	Dalton Johnston	2024
	*Absent	

Special Note: Due to recommendations to social distance in order to help slow the spread of the COVID-19 virus, the capacity of our meeting room is significantly limited. Therefore, public access to the meeting was provided via Zoom. Members of the public could participate by using the information found at the bottom of the agenda.

STAFF PRESENT: Amelia Schoeneman, Interim Director; Stephanie Jones, Recording Secretary

PUBLIC PRESENT: None

APPROVAL OF AGENDA (MCU)

Motion by Schneider, Second by Jensen to approve agenda

APPROVAL OF MINUTES

November 4, 2020

Motion by Mens, Second by Schneider to approve the November 4, 2020 minutes.

Voting Aye: Schneider, Jensen, Lee, Johnston, Mens, Moss

Voting Nay: None

Absent: McBride

PUBLIC COMMENTS: None

NEW BUSINESS:

Election Of Officers For 2021 Calendar Year

Motion by Schneider, Second by Mens for Cheryl Moss to serve as Chair for calendar year 2021.

**Voting Aye: Moss, Mens, Johnston, Lee, Jensen, Schneider
Voting Nay: None
Absent: McBride**

Motion by Schneider, Second by Johnston for Kathy Mens to serve as Vice-Chair for calendar year 2021.

**Voting Aye: Schneider, Johnston, Lee, Mens, Moss
Voting Nay: None
Absent: McBride**

2021 Planning and Zoning Commission Meeting Schedule

Motion by Johnston, Second by Moss to approve the 2021 Planning and Zoning Commission meeting schedule.

**Voting Aye: Schneider, Jensen, Lee, Johnston, Mens, Moss
Voting Nay: None
Absent: McBride**

PUBLIC HEARINGS

CUP05-08.1 Single Action Shooting Society

Amelia Schoeneman summarized the Staff Report and stated that the Single Action Shooting Society is proposing a new use to take place at their existing range. The proposed use is for firearms instruction and education provided by Iowa American Rescue (IAR). This request is for the instruction of firearm usage for approximately 10 classes between April and September annually with 12 students per class. Classes would occur over the weekend. To permit the request, the conditions originally placed on the Single Action Shooting Society's conditional use permit are proposed to be modified.

Modification to existing Conditional Use Permit Application to allow firearm education and training, including modifying 4 existing conditions and one new condition:

- Hours of operation are from March 1 through November 30, Saturday and Sunday only, and shooting is only permitted from 0800 until one half hour prior to sunset as determined by the National Weather Service, with no more than one monthly shoot on a weekday.
- The range is limited to use by members of the S.A.S.S. and/or guests while accompanied by a member of the S.A.S.S., and students and instructors of firearms related training and educational activities as approved by the property owner.
- Strike previous condition limiting firearms and ammunition to "Old West" style
- Remove biennial review

Schneider asked about the type of notification given to neighbors for shooting ranges. Schoeneman stated that there is not a requirement specific to shooting ranges, but rather all property owners within ¼ mile receive a notification for Conditional Use Permits. Schneider asked if the notification distance could be increased for private shooting range conditional use permits. Staff indicated that that is something that could be discussed and would require a text amendment to the code.

Josh Bennett stated that the presentation covered the process well and that staff did a nice job.

Bennett added that the addition to the conditional use permit does serve a benefit to the county by providing a safe area for people to shoot with an instructor.

John Dooley stated that he is in favor of safety and wants people to have a good location to safely train. Dooley stated that the noise spoken about by the neighbor is him shooting because he does target shooting north of the range on his property, which is not connected to the conditional use permit for his own personal use.

Nancy Hall, a neighbor, objected to the proposal stating that the shooting range is loud and that she believed they are firing too fast for single action firearms. She also stated that the kybos have been tipped over in flooding. She indicated that she has called and complained about both the rate of fire and the kybos being tipped after flooding occurs. Mr. Dooley, the property owner, stated that he also shoots on the other portion of the land which would account for the high powered rifle concerns and the rate of fire concerns. These uses are not occurring on the range on the property, but on a different portion of the property. Schoeneman indicated that the kybo should be anchored or an evacuation plan in case of flooding developed, per an existing condition, and that they will follow up with the property owner.

Schneider stated she is concerned that the staff found that there have been no complaints, but that the neighbor stated she has complained.

Schneider stated that she is concerned that the neighbor complained, but staff found no records of complaints. Schoeneman stated that staff requested complaints from the Sheriff's office from the past five years. The Sheriff's office did provide complaints on its own range in error. They were unable to find any records of any complaints about the subject property. Schoeneman indicated that staff would again contact the Sheriff's office after the meeting with this question.

Jensen asked for clarification on the new state law that makes the Planning and Zoning Commission the approving body for conditional use permits for shooting ranges. Schoeneman explained that like in the case of the Izaak Walton League, the Commission is the approving body for private shooting ranges. Staff then takes the CUP to the Board of Adjustment per our CUP process. Staff has spoken with the county attorney regarding this process for shooting ranges. It was also noted that the new law has not had any challenges in court to assist in its interpretation.

Nancy Hall stated she has no issues with people being trained but asked what kind of weapons would be being used. Bennett stated that this year would essentially be concealed carry classes to carry a pistol. In the future additional weapons would possibly be added that would be geared toward the law enforcement community.

MOTION: The Story County Planning and Zoning Commission approves the Conditional Use Permit for the Single Action Shooting Society's proposed new use of firearms training to be completed by Iowa American Rescue at the existing gun club, as put forth in case CUP05-08.1, with the following conditions:

- 1. Waive the condition that the CUP shall be reviewed biennially by staff for compliance with the conditions and a report be drafted to the Board of Adjustment.**
- 2. The applicant shall be required to maintain a continuous log of users of the site, requiring registration of time and date entering and exiting the site and the log shall be presented to the Code Enforcement Officer at time of biennial review.**

3. Hours of operation are from March 1 through November 30, Saturday and Sunday only, and shooting is only permitted from 0800 until one half hour prior to sunset as determined by the National Weather Service, with no more than one monthly shoot on a weekday. (Modification)
4. No more than seventy (70) shooters are permitted on site other than a single annual two-day shoot.
5. Continue to maintain the gate, fencing, and signage around the site, as well as the requirement that the gate be kept locked at all times while the range is not in use.
6. A firearms specialist or range safety officer is required to be on-site during the hours of operation.
7. The sale of items by vendors is prohibited on site.
8. A zoning permit is required for the construction of any structures on site.
9. The range is limited to use by members of the S.A.S.S. and/or guests while accompanied by a member of the S.A.S.S., and students and instructors of firearms related training and educational activities as approved by the property owner. (Modification)
10. Waive the condition that only firearms permitted under the rules of the S.A.S.S. shall be used at the range, and the only ammunition permitted to be used shall be low velocity ammunition.
11. All parking is to be contained on the site and outside the right-of-way of 670th Avenue.
12. No mounted shooting is permitted.
13. Any changes to items associated with the Conditional Use Permit when located in the designated floodplain will require the submittal of a Floodplain Development Permit application.
14. All props and items associated with the Conditional Use Permit shall be anchored or an evacuation plan outlining removal of all such items be submitted to the Story County Planning and Zoning Department.
15. The applicant will have the lead mitigation reviewed or inspected every 5 years to determine if mitigation is needed such as for pH, through screening and raking or other removal measures.

Motion: Johnston

Second: Moss

Voting Aye: Johnston, Moss, Mens, Jensen, Lee

Voting Nay: None

Abstaining: Schneider

Absent: McBride

(5-0)

COMMENTS

Staff: Schoeneman stated that normally in December there would be a joint meeting with the Board of Supervisors and Planning and Zoning Commission to go through the work

program. That meeting will take place in January or February so that the permanent director will be able to lead that meeting. Second round interviews for the director are scheduled for next week.

Commission: Moss reminded the Commission that in the future if there would not be a second for a motion, that another motion could be made.

ADJOURNMENT: 4:59 PM

Cheryl Moss
Approval of Minutes

P7C Chair

2/25/21
Title and Date