



LARAMIE COUNTY PLANNING & DEVELOPMENT DEPARTMENT

Planning • Building

MEMORANDUM

TO: Laramie County Board of Commissioners

FROM: Brad Emmons, Planning and Development Director

DATE: December 4, 2018

SUBJECT: 2019 Laramie County Land Use Regulations Adoption

Executive Summary

In early 2018, staff began the process of looking at the existing 2011 Laramie County Land Use Regulations. Staff was looking for ways to make the regulations more user-friendly and to make corrections to the typos and grammatical errors, as the original documents had never been updated. We took public comment in the spring of 2018 to gather additional areas of concern beyond what staff had provided. In the summer of 2018, we compiled a draft set of regulations for review by the public and again provided a time frame for public comment in the fall of 2018. Staff has made additional changes to the regulations based on these comments. The following items are a general synopsis of the items included and completed.

Staff Requests

1. General cleanup of the document to clear up typographical and grammatical errors, discrepancies, and deletion of sections that no longer applied.
2. Combining all the definitions in one section.
3. Amending the landscape section requirements.
4. Adding a section to direct fireworks stands to the County Fireworks Regulations.
5. Adding a process for the review of 35-acre development maps or records of survey prior to recordation for road naming requirements.
6. Updating the County Road/Street Design typical sections and paving criteria.
7. Allowing for certain subdivisions to submit Preliminary Development Plan applications concurrently with Subdivision Permit and Plat applications.
8. Adjusting when Community Facility Fees are due on projects.
9. Moving controversial Site Plan approval from Planning Commission to County Commissioners.
10. Modifying the scheduling of PC meetings for PDP applications to match standard public hearing deadlines.
11. Removing the requirements for dual platting process for subdivisions within one (1) mile of an incorporated city or town.

12. Adding a plat requirement for notation if the project is within the Community Wildfire Protection Plan (CWPP).
13. Clarifying violations pertaining to all of Laramie County.
14. Establishing County Setback and Site Plan Buffering Tables for ease of use.

Commissioner Requests

15. Adding Solar Energy Farm site plan regulations.
16. Adding a section for the Roadside Memorial Program for signs along County public rights-of-way.
17. Adding a section in regard to groundwater recharge for determining acreage of land needed for platting subdivisions.

Public Requests

18. Adding a changeable electronic sign section.
19. Adding requirements for shooting ranges.

Due to the amount of changes, staff decided it was better to repeal the old regulations and adopt an entirely new set, rather than amending the sections individually.

Adoption of any regulation must occur under the rulemaking requirements of Wyoming State Statute § 16-3-103. A 45-day notice period and opportunity for public input is required prior to any adoption of rules. On October 16, 2018, the Board approved Resolution #181016-18 providing 45-day rulemaking public notice of intent to repeal the 2011 Laramie County Land Use Regulations and adopt the 2019 Laramie County Land Use Regulations.

The published deadline for written comments to be submitted to the Laramie County Clerk's office is by noon on November 30, 2018. We have currently received two responses in favor of using the NRA guidelines for shooting ranges. After continued review, we have the following changes to the draft regulations:

1. Remove sections 4-2-113 and section 4-2-114 and renumber 4-2-115 to 4-2-113.
2. Rename and move definition of New Manufactured Home Park or Subdivision to Manufactured Home Park or Subdivision, New.
3. Add additional language to the Campground definition: Campgrounds of 6 or more spaces shall be permitted through the Environmental Health Dept.

On November 8, 2018, the Laramie County Planning Commission moved to recommend approval of the 2019 Laramie County Land Use Regulations with the three amendments by a 4 - 0 vote.

Since the Laramie County Planning Commission meeting, we have continued to work on different sections of the code.

At this time, we would also like to make the following changes:

4. Section 2-5-101:

Remove - All public, commercial shooting ranges or ranges operated by governmental or private entity or corporation shall meet all standards in the National Rifle Association Source Book and be reviewed through the site plan process.

Add - Outdoor shooting ranges are any uses that include the firing, shooting or any other discharge of firearms, explosives and all weapons, except those uses or activities specifically excluded below. Firing ranges and weapon ranges not located wholly within a building constructed or modified specifically for that purpose are examples of outdoor shooting ranges. Exceptions to this definition are governmental uses, performing military operations for the government, discharging firearms while legally hunting, agricultural uses, the discharge of firearms for purposes of athletic events, theater or other performing arts, any special events granted prior approval by the County for the discharge of firearms, the legal discharge of explosives for approved construction and mining projects, and licensed, legally used fireworks displays. These provisions do not apply to the discharging of firearms on private property not open to the public or recreational shooting by individuals on property where no fee or formal membership is required.

- a) Site plan process is required.
- b) All outdoor shooting ranges must be designed by an architect or professional engineer licensed in the State of Wyoming using established guidelines for range design by the National Rifle Association or the National Shooting Sports Foundation.
- c) The construction of the range must be certified by the professional designer that the range was constructed according to their design.
- d) Site plan submittal shall include, in addition to the normal site plan application material, a description of the shooting range and operation procedures including:
 - i. Detailed description of the operation.
 - ii. Types and calibers of weapons and ammunition proposed to be used and means of weapon and ammunition storage.
 - iii. Safety procedures, rules and regulations proposed.
 - iv. Days and hours of operation.
 - v. Methods used for range clean up and maintenance including lead abatement and disposal.

Under the site plan section:

5. Add to Section 2-2-133 d. iv. - After “reviewed” insert “and approved or disapproved” by the Director.
6. Add to Section 2-2-135 - After “approval of site plan,” insert “either administratively or by the Board of County Commissioners.”

Proposed motion:

I move to repeal the 2011 Laramie County Land Use Regulations and approve the adoption of the 2019 Laramie County Land Use Regulations rulemaking draft with the six items listed in the staff report as changes, to be known as the 2019 Laramie County Land Use Regulations, to be effective January 1st, 2019.

Attachments:

- 1) **Public Comment received on Rulemaking Draft**
- 2) **Adoption Resolution**

Joanne Sandberg
4734 State Hwy 216, Albin, WY 82050
July 19, 2018

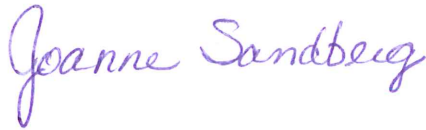
LARAMIE
COUNTY
JUL 24 2018
PLANNING & DEVELOPMENT
OFFICE

Laramie County Land Use Regulation Update 2018 Committee:

After reviewing the LCLUR Update for 2018 I see that there is nothing to address unsafe outdoor shooting ranges. These standards should be met:

An outdoor shooting range design and maintenance shall comply with standards and guidelines of the National Rifle Association NRA Source Book.

Joanne Sandberg



Terry Sandberg
4734 State Hwy 216, Albin, WY 82050
July 19, 2018

LARAMIE
COUNTY
JUL 24 2018
PLANNING & DEVELOPMENT
OFFICE

Laramie County Land Use Regulation Update 2018 Committee:

Laramie County needs something added to the LCLUR Update for 2018 regarding the construction and maintenance of outdoor shooting ranges.

All Public shooting ranges shall meet the National Rifle Association Guidelines as listed in the NRA Source Book.

Terry Sandberg

A handwritten signature in cursive script that reads "Terry Sandberg".

Brad Emmons

From: Wendy Troutman <savingandsurviving@gmail.com>
Sent: Tuesday, October 16, 2018 3:04 PM
To: Brad Emmons
Subject: New shooting range regs

Thank you for taking public comment on new regs for shooting ranges. It is extremely important that the community has a say in how something of this nature is handled.

I am an avid supporter of the second amendment, a competitive shooter, a firearms instructor and the leader of a local women's shooting group.

That being said, I believe that the NRA standards for building/designing a shooting range are a minimum standard. I support the right of people to shoot SAFELY in their backyard or on their property but it should never endanger a neighbor.

A "commercial" range needs to have a greater degree of built in safeties. Any range that collects ANY money from someone wanting to shoot on that range should be deemed "commercial." It may be private or public but it is still "commercial."

Regards,
Wendy Troutman

Brad Emmons

From: Roxie Simpson <r.simpson@energyconsultantsllc.com>
Sent: Monday, October 29, 2018 9:42 AM
To: Brad Emmons
Cc: Bryan Nicholas; david.willms@wyo.gov; nephi.cole@wyo.gov; Mark Voss
Subject: Rifle Range - Helis Oil & Gas Company, L.L.C.
Attachments: Mimecast Attachment Protection Instructions; 20181029094657581.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Brad,

In answer to a request from Laramie County for comments from the public, attached is a letter from Helis Oil & Gas Company, L.L.C. regarding Rifle Range concerns and suggestions for possible regulation.

Thank you for your consideration. I will also send a hard copy by mail.

Roxie

HELIS OIL & GAS COMPANY, L.L.C.
WESTERN DIVISION
% ENERGY CONSULTING ASSOCIATES, LLC
100 NORTH 27TH STREET, SUITE 255
BILLINGS, MONTANA 59101
P.O. BOX 159
BILLINGS, MONTANA 59103-0159

Telephone:
(406) 248-2222

Facsimile:
(406) 248-5253

October 29, 2018

Mr. Brad Emmons
Planning & Development Director
Laramie County
P.O. Box 608
Cheyenne, WY 82009

Re: *Cheyenne Regulators - Rifle Range*
NWNE, Section 18 – 16N-63W
Laramie County, Wyoming

Dear Mr. Emmons:

Helis Oil & Gas Company, L.L.C. (Helis) would encourage Laramie County to consider the implementation of regulations, based on guidelines from the National Rifle Association, for anyone proposing the installation of a shooting range.

Helis is concerned with the possibility of a shooting range that was previously proposed by Cheyenne Regulators, at the captioned location, that did not have an adequate back-stop, approximately 1 mile south of its most active well pad in Laramie County, Wyoming.

The Helis Sandberg 16-63-6 Well Pad (Sandberg Pad #1) which is in the SWSW, Section 6 – 16N-63W has 1 producing oil well with 5 – 500 bbl. oil tanks, and 2 - 500 bbl. water tanks. A drilling rig will be moving to the Sandberg Pad #1 this week (October 28, 2018) and three more wells will be drilled on this pad. This pad will be extremely active in the months to come. It is anticipated that additional tankage and equipment will also be added to the pad once the three new wells are on production. Helis has a total of 11 wells permitted with the Wyoming Oil & Gas Commission Corporation (WOGCC) from the Sandberg Pad #1. There is an additional Helis Sandberg Pad located in the SWSE, Section 8 – 16N-63W (Sandberg Pad #2). Helis has 11 wells permitted with the WOGCC from the Sandberg Pad #2.

The Rifle Range was proposed in the NWNE, Section 18 – 16N-63W, approximately 1 mile south of both the Sandberg Pad #1 and Sandberg Pad #2. The topography between the proposed Rifle Range and the two pads is fairly flat and the pads are somewhat downhill from the shooting range. The Sandberg Pads are both directly in the line of fire from the proposed shooting range. Please see attached Figure 1 which was

October 29, 2018

taken from R Design Works Report prepared for Terry Sandberg, dated February 21, 2018, showing the two Sandberg Pads which are the green dots in the Surface Danger Zone. Also, from the same report it is noted that even the smallest caliber bullet will be within range of the Helis existing and future locations in this area.

Helis has other pads that are not in the direct line of the proposed range, but are in close proximity. There is a pad in the SESW, Section 8 – 16N-63W (Beverly Pad), 1/2 mile to the Northeast of the shooting range. The pad in Section 8 contains 1 productive well and 4 – 500 bbl. oil tanks, 2 - 500 bbl. water tanks. One additional well will be drilled from the Beverly Pad in December of this year. There are a total of 11 wells permitted with the WOGCC from the Beverly Pad.

In the SESE, Section 12 – 16N-64W, Helis has a well pad staked on Jim Hastings property. There are a total of 8 wells permitted with the WOGCC from the Hastings pad which is just Northwest of the proposed range.

Along the north line of Sections 4 & 5 – 16N-63W (about 2 miles to the north and east of the shooting range) there are numerous other pads with wells permitted by Helis. One of the pads in the NWNW, Section 4 – 16N-63W has 1 producing well and 4 – 500 bbl. oil tanks and 2 – 500 bbl. water tanks.


Attached is a map showing the well pads (gold boxes and/or green derricks) in relation to the proposed rifle range.

Helis is concerned that a stray bullet could be detrimental to Helis personnel and/or contractors working at any one of the drill sites during drilling, completion and production of the wells. The pads containing oil and water tanks and equipment that could rupture or catch fire and explode if struck by a stray bullet from a high powered rifle, thus creating a danger to workers on the site and the possibility of an environmental catastrophe. The potential losses that Helis Oil & Gas could suffer from a worse-case scenario would be in the tens of millions of dollars.

Thank you for considering our concerns. Helis is opposed to a shooting range at this particular location that is not properly designed. County regulations should carefully consider the safety of people and facilities in any area when a rifle range is proposed. Regulations that follow the guidelines of the National Rifle Association should be implemented.

Yours very truly,

HELIS OIL & GAS COMPANY, L.L.C.

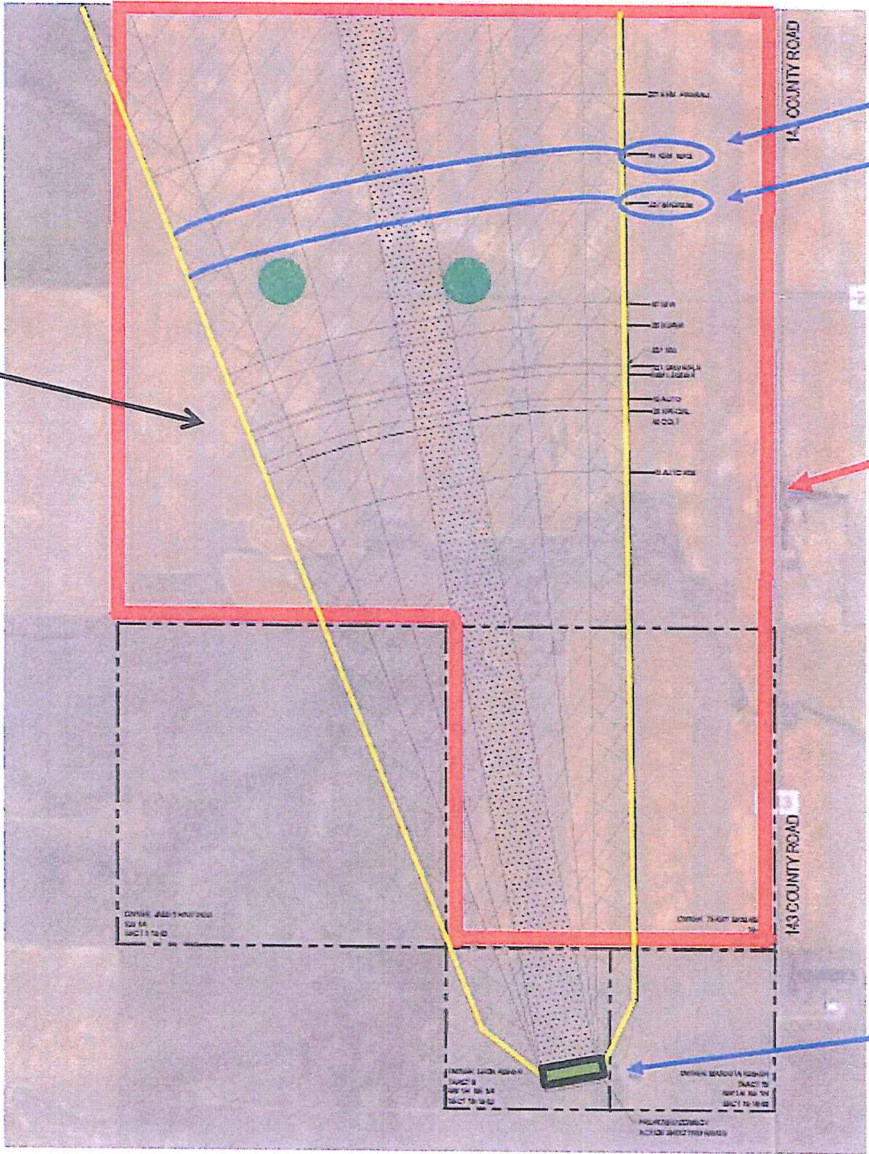

Roxanne Simpson, CPL
Western Division Land Manager

C.

Mr. Mark T. Voss, County Attorney
Mr. Bryan Nicholas, County Associate Planner
Mr. David Willms, County Policy Advisor
Mr. Nephi Cole, County Policy Advisor

Figure I

Yellow Outline = Surface Danger Zone

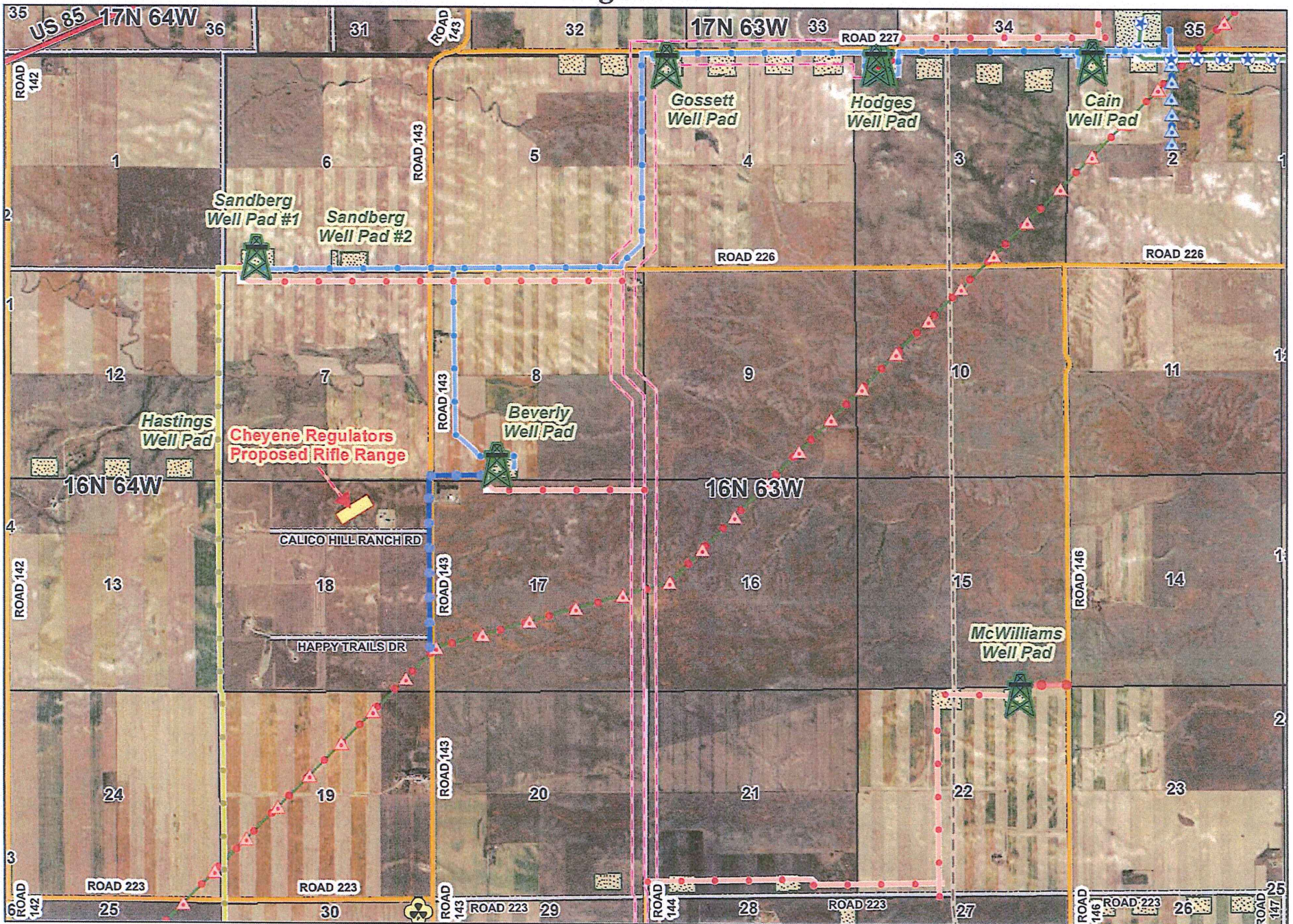


.44 REM MAG
.357 MAGNUM

Red Outline = Property Owned By Terry and Joanne Sandberg

Proposed Range

Figure II



Brad Emmons

From: John Manley <whjohn73@gmail.com>
Sent: Tuesday, November 06, 2018 2:12 PM
To: Brad Emmons
Subject: Shooting range reg comments
Attachments: Mimecast Attachment Protection Instructions; 181106 Comment re Shooting Range Reg.pdf

Mimecast Attachment Protection has deemed this file to be safe, but always exercise caution when opening files.

Brad,
Attached are my comments to the proposed addition of a chapter 5, Shooting ranges, to the proposed publication of a 2019 County - Wide Land Use Regulations.

This is a summation of what we discussed at our meeting yesterday. It is my intent to be a part of the solution to this issue, rather than part of the problem.

Btw, we need to get together for a round of golf. On a day when the wind isn't blowing a 100mph.

Deo Vindice
John Manley

Subject: Comments to the proposed change to The Laramie County Land Use Regulations.

The proposed addition of Chapter 5 Shooting Ranges in Laramie County will not accomplish what is desired. To begin with, requiring that the entity submitting a site plan for a shooting range “*shall meet all standards in the National Rifle Association Source Book*” is inappropriate. Under Article 1 Introduction, subheading 1.02 Purpose of NRA Range Source Book 2012, paragraph 1.02.4 last sentence states “*This source book may not be utilized to establish design standards or criteria for ranges.*” It is apparent that the author of the proposed Chapter 5 to the Land Use Regulations did not read the NRA Source Book.

While in 2018 it is appropriate that Laramie County Planning and Development office have oversight on the establishment of commercial shooting ranges/complexes, the standards for the design of the ranges must be well thought out. During the site plan process for a shooting range proposed by the Cheyenne Regulators, Inc. One of the parties objecting to the range plan cited the NRA Range Source Book as an authority on range standards. In fact that point was raised by a licensed attorney representing the party. They stated that the Source Book required a minimum of a 20 foot high back stop be used for shooting ranges. The source for this reference is contained in paragraph 3.04.5.1 Main Backstop, sub paragraph c on page 1-1-24. Read in its’ entirety the paragraph states; “*Height; The recommended height for a backstop is 20 feet high, except where existing terrain features or the amount of land owned or controlled in the down range area may preclude, alter or possibly even eliminate this requirement, especially in hilly or mountainous areas. The terrain and topographical features should always be considered when designing a range. This is especially true with a 50 foot range, often used by youth shooting sports programs, where 10 feet is commonly recognized as the appropriate height.*” While this paragraph does refer to a 20 foot high backstop, it is not a requirement, it is a recommendation. The actual determination for the height of a backstop is situational. That is to say the totality of the circumstance must be considered.

I use this one example to demonstrate that the design and construction of a shooting range/complex is not a simple task. There are many factors and variables involved. If properly done the content of the proposed Chapter 5 should contain a checklist that is a supplement to the existing site plan checklist. The range plan checklist should be a document that gives the applicant a clear and concise road map to the successful completion of a site plan. That checklist will also be a guide for the planning department to use to insure that the plan is complete and will provide for a safe shooting environment for the commercial entity, their customers, and the public.

I would also recommend that the County Commissioners carefully consider all the aspects of grandfathering the existing commercial ranges in the county. The principle reason for establishing Chapter 5 is public safety. To allow an existing range, that has existing unsafe conditions, to continue operations without correcting the safety problems could be cause for legal action against the county. While I do not know for certain, I suspect that only the County run shooting complex at the Archer complex has had any governmental oversight. Further I would recommend that the County establish a system of regular inspections of the commercial shooting facilities to insure that they are being properly maintained, and are operating safely. Any additions or modifications to existing commercial ranges should be subject to site plan review by the County Planning and Development office.

Finally, I recommend that the County Commissioners change the language in the proposed Chapter 5 to read "*To be published.*" I recommend that the Commissioners charge the County Planning and Development Director to flesh out the Chapter and submit a draft copy within 90 or 180 days. I would defer to the Planning and Development Director for recommendation of that time line.

John Manley
1354 Dorothy Lane
Cheyenne, WY 82009
Whjohn73@gmail.com
307-214-7706

Brad Emmons

From: Julie Read <julie.l.read@gmail.com>
Sent: Wednesday, November 07, 2018 8:43 PM
To: Brad Emmons
Subject: LCLUR Comments to be Read at Public Forum

Laramie County Planning & Development Office,

I am writing to request that the following be read aloud at the public forum Thursday regarding updates to the LCLUR:

My family has peacefully owned and operated a farm for over 70 years. How can we be expected to continue to earn a living while being shot at with an inadequate back stop that is supported by the county? I ask that you keep this question in mind while listening to the public's comments today- my family's safety is at stake.

What if your neighbor frequently shot a gun at the fence separating your back yard from theirs? Then, when you pointed out all the safety concerns to them, their response was that you need to call them before entering your back yard so they will stop shooting? This is exactly what the Cheyenne Regulators have requested from my family, only instead of a back yard it is our farmland where my family works hard to make an honest living. How is this right or just? How can the county not have regulations that protect our property rights as farmers? Worse, how can the county regulations not protect the safety of farmers and ranchers because their neighbor wants to shoot in their direction with only an unsafe back stop to protect them?

My family supports the second amendment, but I do not support residents of Laramie County shooting toward their neighbors without strict safety precautions. If the county chooses to let residents at a shooting range shoot at each other with no regulations, the county will essentially be responsible for incidents that can be prevented.

All shooting ranges in Laramie County, including public, commercial ranges, or ranges operated by the government or a private entity need to be SAFE. In order to do so, **they should be required to be certified and inspected bi-annually by a licensed professional engineer whose occupation is in shooting range design.**

All shooting ranges in Laramie County should be required to hold an insurance policy that would cover the cost of loss of life and fire damage to a neighbor's property should an incident occur. They should also be required to adhere to an environmental management plan to minimize the impact to the environment and to neighboring property.

I am essentially a ballistics expert- I have a Ph.D. and work for NASA. I am an expert in spacecraft trajectories, which uses the exact same math and physics as ballistics. But just because I know a lot about ballistics and can tell you mathematically the requirements for a safe shooting range, it would be ludicrous to claim that I could set up my own shooting range. I would hire an expert for this- someone who actually knows what they are doing. This is a reasonable expectation by the county.

I strongly urge you to require any shooting range in Laramie County to 1) hire a licensed professional engineer and shooting range expert to design, certify, and periodically inspect the range, 2) have adequate insurance coverage, and 3) adhere to a rigorous environmental management plan.

Dr. Julie Read, Sandberg Family Trust

Brad Emmons

From: tsandberg@rtconnect.net
Sent: Wednesday, November 07, 2018 11:27 AM
To: Brad Emmons
Subject: LCLUR Update & Shooting Ranges

Laramie County Planning:

For the LCLUR Update something should be added concerning shooting ranges to assure bullets remain on the property of the shooting range. A regulation for all public, commercial shooting ranges or ranged operated by governmental or private entity or corporation should be approved by a professional shooting range design engineer that is endorsed by the National Shooting Sports Foundation (NSSF) and the National Rifle Association (NRA). Also a plan should be in place for inspections at completion and over time.

Joanne Sandberg

Brad Emmons

From: Timothy Read <texasafetytim@gmail.com>
Sent: Wednesday, November 07, 2018 8:34 PM
To: Brad Emmons
Subject: LCLUR - Shooting Range Comment

Mr. Emmons,

Just because a person has 50+ years experience around shooting ranges does NOT make them an expert on the the topic. Just because a person hasn't seen someone hurt or killed at said shooting ranges does NOT mean the ranges are safe.

Shooting ranges should only be planned and designed by qualified persons capable of performing the complex calculations necessary to ensure range design provides adequate protection to the public. Anything less exposes the public to undue risk to which they have not consented. As such, all public and private shooting ranges in Laramie County need to be planned and designed by a Professional Engineer licensed by the State of Wyoming specializing in shooting ranges. Systems should also be in place for periodic monitoring of range safety and continuous insurance coverage.

Sincerely,
Timothy D. Read, PhD
Certified Safety Professional (CSP)

Brad Emmons

From: Brad Emmons
Sent: Tuesday, November 13, 2018 12:54 PM
To: 'tsandberg@rtconnect.net'
Subject: RE: LCLUR Shooting Ranges

Thank you.

-----Original Message-----

From: tsandberg@rtconnect.net [mailto:tsandberg@rtconnect.net]
Sent: Sunday, November 11, 2018 3:26 PM
To: Brad Emmons <bemmons@laramiecounty.com>
Subject: LCLUR Shooting Ranges

Brad,

Here is the website for an ordinance that is in an agricultural district in Muscatine County, Iowa that relates to outdoor shooting ranges. This was passed April 2017 and is on the same line that that you are working on for a Laramie County regulation.

<https://protect-us.mimecast.com/s/rRJmC5y3ZmcAZrEzRvpV>

First page under Article III:

Stated in b that all shooting ranges must be signed by an architect or professional engineer licensed in the State of Iowa using established guidelines for range design.

Stated in b under #2 The construction of the range must be certified by the professional designer that the range was constructed according to their design.

Other requirements in the three-page ordinance also has some good ideas.

Thank you,
Joanne Sandberg

ORDINANCE #04-17-17-01
AMENDING THE MUSCATINE COUNTY ZONING ORDINANCE RELATING TO
OUTDOOR SHOOTING RANGES

BE IT HEREBY ORDAINED by the Muscatine County Board of Supervisors:

Section 1. Amendment. The Muscatine County Code of Ordinances, Title III, Chapter II, is amend by the adoption of the following new subsections:

Article I, Section 3, Definitions: add Outdoor Shooting Ranges: Outdoor shooting ranges are any uses that include the firing, shooting or any other discharge of firearms, explosives and all weapons, except those uses or activities specifically excluded below. Firing ranges and weapon ranges not located wholly within a building constructed or modified specifically for that purpose are examples of outdoor shooting ranges. Exceptions to this definition are governmental uses, performing military operations for the government, discharging firearms while legally hunting, agricultural uses, the discharge of firearms for purposes of athletic events, theater or other performing arts, any special events granted prior approval by the County for the discharge of firearms, the legal discharge of explosives for approved construction and mining projects, and licensed, legally used fireworks displays. These provisions do not apply to the discharging of firearms on private property not open to the public or recreational shooting by individuals on property where not fee or formal membership is required.

Article III, Section 3: 3.29 Outdoor Shooting Ranges

- (a) Permitted in the A-1Agricultural District with a Special Use Permit approved by the Board of Adjustment. Also requires Zoning Commission review and approval of the proposal according to Chapter 657.9. Code of Iowa.
- (b) All outdoor shooting ranges must be a minimum of 750 feet from the nearest residence or habitable structure and be designed by an architect or professional engineer licensed in the State of Iowa using established guidelines for range design.
 - (1) In designing an outdoor shooting range, the primary concern shall be ensuring the health, safety and welfare of the participants, staff, spectators and surrounding inhabitants.
 - (2) The construction of the range must be certified by the professional designer that the range was constructed according to their design.
- (c) When applying for a Special Use Permit, the applicant shall provide, in addition to what is otherwise required for a special use permit, the following information:

- (1) Location of the operation.
 - (2) Description of the shooting range and operation procedures including:
 - (a) Detailed description of the operation.
 - (b) Types and calibers of weapons and ammunition proposed to be used and means of weapon and ammunition storage.
 - (c) Safety procedures, rules and regulations proposed.
 - (d) Day and hours of operation.
 - (e) Noise abatement methods and procedures.
 - (f) Methods used for range clean up and maintenance including lead abatement and disposal.
 - (3) Special considerations for the design of the backstop, berms and the bullet impact areas along with proposed landscaping and buffering are of critical importance. Also, a means of restricting unauthorized access onto the range by perimeter fencing, gates, etc., shall be addressed. An Environmental Assessment or an Environmental Impact Statement for the site and an End Use Plan which addresses the issue of lead mitigation and abatement for the range shall be submitted for Board of Adjustment review and consideration.
- (d) For all outdoor shooting ranges, proper legal documents must be presented that outline:
- (1) Post operation cleanup procedures.
 - (2) Legal responsibility for the environmental pollution that could occur after the facility is closed; and
 - (3) Financial ability to clean up any possible pollution that could occur after the facility is closed.
- (e) The owner/operator may be required to submit a bond or surety which would guarantee and cover any or all the cost of cleanup necessary after range abandonment or ceasing of its operation.

Section 2. Severability. If any section, provision, or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the

regulations as a whole or any section, provision, or part thereof not adjudged invalid or unconstitutional.

Section 3. Effective Date. This ordinance shall take effect upon its publication as required by law.

Section 4. Conflict with Provisions. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

PASSED, APPROVED AND ORDAINED this 17th day of April, 2017.

ATTEST:

Leslie A. Soule
County Auditor

Jeff Sorensen, Chairperson
Muscatine County Board of Supervisors

Brad Emmons

From: John Manley <whjohn73@gmail.com>
Sent: Friday, November 16, 2018 2:25 PM
To: Brad Emmons
Subject: Re: shooting range changes

Brad,

Here is my take on your first cut of changes to Chapter 5; all of my comments are based on conversation with appropriate representatives at both the NRA and NSSF.

1. Paragraph b) - requiring ranges to be designed by an architect or PE licensed in Wyoming will make the basic design for a range almost cost prohibitive. Are there any architects or PE's in Wyoming that will perform the service, or are you intentionally creating a catch 22 situation to prevent any further construction of new shooting ranges? Have you consulted with the PE's at your firm on this?
2. Paragraph c) – I would roll this into paragraph b). It is a natural extension of the design process. If the design is approved and a permit is issued then the designer must be on site to ensure that the project is completed as designed. Similar to the process for constructing a subdivision, commercial building project, or road construction project.
3. Paragraph d) i – if the range is being constructed and used for a specific shooting discipline, that discipline must be identified. The applicant should be required to provide the criteria from the governing body of that discipline for the range. If the range is for multi-use shooting then the types of shooting that are to be employed should be articulated. In that discussion each individual shooting bay should have a listing of the types of activities that are allowed in that bay.
4. Paragraph d) v – what is the criteria for requiring a noise abatement plan. If there is no occupied residence within a certain distance would a plan be necessary?
5. Paragraph d) vi – What is the EPA, or Wyoming regulations that govern this. What are the conditions that would require this plan? Are there situations that this plan would not be required? Or is this a nuisance clause?
6. Add a paragraph – what are the down range conditions, i.e. who owns the land down range? What is the topography? What is the nearest residence? What is the nearest road, and what is the traffic density on that road? The answer to this is germane to the backstop design, or even the need for a backstop.

As a consideration; would the site plan be required if the shooting range is totally contained on property owned or controlled by the applicant? Case in point is the Otto Road Shooting Range (ORSR). That range is totally contained on property owned by the King Ranch. ORSR is a subsidiary of King Ranch. This is not the case for the Cheyenne Rifle and Pistol Club, the Cheyenne Trap and Skeet Club, and the County's Archer Shooting Complex.

Consider setting up the application process to be similar to subdivision planning. Have a preliminary hearing for the proposed site plan. Then have a hearing on the final plan. Are the hearing to be before the Planning Commission or the Commissioners?

I would recommend that you add a paragraph on post construction site inspections, much in the same manner that the fire department conducts regular fire safety inspections of businesses. Those inspections should be done to insure that the facility is being properly maintained and continues to operate in a safe manner. While it is generally accepted that when new regulations are put in place, existing commercial operations are grandfathered. In this case however, the range regulations are being done in the interest of public safety. It

would be prudent for the county to conduct inspections of existing ranges to insure that they are operating in a safe manner.

Politically, it does appear that the proposed regulations will make the construction of new shooting ranges almost cost prohibitive. This could be view as protectionism of existing ranges. I would recommend that you research the estimated cost to the applicant for the requirements in paragraphs b) and c).

Let me know what you think. I hope this is helpful.

Deo Vindice
Wild Horse John

On Thu, Nov 15, 2018 at 8:36 AM Brad Emmons <bemmons@laramiecounty.com> wrote:

John thanks again for agreeing to review some changes. Here is my first round of changes.

Brad Emmons, AICP

Laramie County Planning Director

307-633-4523

Disclaimer

The information contained in this communication from the sender is confidential. It is intended solely for use by the recipient and others authorized to receive it. If you are not the recipient, you are hereby notified that any disclosure, copying, distribution or taking action in relation of the contents of this information is strictly prohibited and may be unlawful.

This email has been scanned for viruses and malware, and may have been automatically archived by **Mimecast Ltd**, an innovator in Software as a Service (SaaS) for business. Providing a **safer** and **more useful** place for your human generated data. Specializing in; Security, archiving and compliance. To find out more [Click Here](#).

Brad Emmons

From: Julie Read <julie.l.read@gmail.com>
Sent: Sunday, November 18, 2018 7:43 PM
To: Brad Emmons
Subject: LCLUR Suggestions

Brad,

I reviewed the proposed updates to Chapter 5 in the LCLUR, and I encourage you to add the following updates regarding Shooting Ranges in Laramie County. **Please forward my comments to all Laramie County Planning Commissioners and also all Laramie County Commissioners.**

Update Section 2-5-100 5) to include:

vii. Outline of fire abatement plans, including equipment and emergency response procedures including estimated fire department response time.

ix. Detailed description of insurance policy and coverage limits in the case of damage, injury, or loss of life. This insurance would be required to be continually up-to-date.

Thank you for your time,
Dr. Julie Read

Brad Emmons

From: tsandberg@rtconnect.net
Sent: Monday, November 19, 2018 3:47 PM
To: Brad Emmons
Subject: shooting range land use regulations.

Brad, I feel that there needs to be wording to prevent people from using an 80 year old friend who is a P. E. and doesn't care about his license to design the range. Maybe add that the licensed engineer is licensed in Wyoming and has experience in at least three other similar range design experiences. The NRA and NSSF has lists of qualified range designers. If the design is for a certain kind of range it will take an experienced range designer to know what is needed.
Thanks Terry Sandberg

SUBCHAPTER D. OUTDOOR SHOOTING RANGES

Sec. 756.041. DEFINITION. In this subchapter, "outdoor shooting range" means an outdoor shooting range, outdoor firing range, or other open property on which persons may fire a weapon for a fee or other remuneration but does not include a deer lease or other similar leases of property for the purpose of hunting or an archery range.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

Sec. 756.0411. APPLICABILITY. This subchapter applies only to an outdoor shooting range located in a county with a population of more than 150,000.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

Sec. 756.042. CONSTRUCTION STANDARDS. The owner of an outdoor shooting range shall construct and maintain the range according to standards that are at least as stringent as the standards printed in the National Rifle Association range manual.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

Sec. 756.043. CIVIL PENALTY. (a) The owner of an outdoor shooting range who fails to comply with Section [756.042](#) is liable within 60 days after a finding of noncompliance for a civil penalty of \$50 for each day of noncompliance; the aggregate amount not to exceed \$500.

(b) The attorney general or the appropriate district attorney, criminal district attorney, or county attorney shall recover the civil penalty in a suit on behalf of the state. If the attorney general brings the suit, the penalty shall be deposited in the state treasury to the credit of the general revenue fund. If another attorney brings the suit, the penalty shall be deposited in the general fund of the county in which the violation occurred.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

Sec. 756.044. CRIMINAL PENALTIES. (a) The owner of an outdoor shooting range commits an offense if the owner intentionally or recklessly fails to comply with Section 756.042 and that failure results in injury to another person.

(b) An offense under this section is a Class C misdemeanor, except that if it is shown on the trial of the defendant that the defendant has previously been convicted of an offense under this section, the offense is a Class A misdemeanor.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

Sec. 756.045. INSURANCE REQUIRED. (a) The owner of an outdoor shooting range shall purchase and maintain an insurance policy that provides coverage of at least \$500,000 for bodily injuries or death and another policy that provides that level of coverage for property damage resulting from firing any weapon while on the shooting range.

(b) The owner of an outdoor shooting range shall prominently display a sign at the shooting range stating that the owner has purchased insurance to cover bodily injury, death, or property damage occurring from activities at the shooting range.

Added by Acts 1991, 72nd Leg., ch. 310, Sec. 1, eff. Aug. 26, 1991.

RESOLUTION # _____

RESOLUTION TO REPEAL THE 2011 LARAMIE COUNTY LAND USE REGULATIONS AND ADOPT THE 2019 LARAMIE COUNTY LAND USE REGULATIONS.

WHEREAS, Wyoming State Statutes § 16-3-103; §18-5-201 to 18-5-208; 1§8-5-301 to 18-5-315 authorize Laramie County, in promoting the public health, safety, morals and general welfare of the county, to regulate the use of land through zoning in unincorporated Laramie County; and

WHEREAS, the Laramie County Board of Commissioners previously adopted the 2011 Laramie County Land Use Regulations; and

WHEREAS, the Laramie County Board of Commissioners has complied with the requirements of W.S. 16-3-103, giving proper public notice and holding public hearings; and

WHEREAS, the repeal of the 2011 Laramie County Land Use Regulations and adoption of the 2019 Laramie County Land Use Regulations are in conformance with section 1-1-107 regarding Amendments to the Regulations.

NOW THEREFORE BE IT RESOLVED BY THE GOVERNING BODY OF LARAMIE COUNTY, WYOMING, that the Laramie County Board of Commissioners does hereby repeal the 2011 Laramie County Land Use Regulations and adopt the 2019 Laramie County Land Use Regulations with amendments, to go into effect on January 1st, 2019.

PRESENTED, READ AND ADOPTED this _____ day of _____, 2018.

LARAMIE COUNTY BOARD OF COMMISSIONERS

K.N. Buck Holmes, Chairman

ATTEST:

Debra K. Lee, Laramie County Clerk

Reviewed and approved as to form:

Mark T. Voss, Laramie County Attorney