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**CHISAGO COUNTY
STATE OF MINNESOTA ORDINANCE NO. XXX**

AN ORDINANCE AMENDING SECTION 5.06 AGRICULTURAL DISTRICT AND SECTION 7 PERFORMANCE STANDARDS OF THE CHISAGO COUNTY CODE, KNOWN AS THE ZONING ORDINANCE, BY PROVIDING FOR AN AMENDMENT TO SECTION 5.06 SECTION C. CONDITIONAL USES AND ADDING SECTION 7.32 SHOOTING RANGES AND 7.33 HUNTING CLUBS AND SHOOTING PRESERVES, AND AMENDING SECTION 3 DEFINITIONS AS FOLLOWS

Now therefore be it resolved that the Chisago County Board of Commissioners hereby ordains that Section 5.06 Section C. Conditional Uses; Section 7.32 Shooting Ranges; Section 7.33 Hunting Clubs and Shooting Preserves; and Section 3 Definitions of Zoning Ordinance No. 08-03 are hereby amended as follows:

Section 3. Definitions

The definition of Shooting Range or Range is created as follows:

Shooting Range or Gun Range: A “Shooting Range” or “Gun Range” means an area, structure or facility designated and specifically designed improved, developed, maintained or operated primarily for the safe use and discharge of a firearm for the

46 purpose of practice, sport or military/law enforcement training. A Shooting Range
47 includes shooting preserves as described in current Minnesota Statutes Section 97A.115
48 or as subsequently amended. A Shooting Range does not include a one-time event of
49 either an authorized training, traveling demonstration or shooting show.

50
51 Shooting Range Facility: A “Shooting Range Facility” means a public or private facility,
52 including individual Shooting Ranges, safety fans or Shotfall Zones, Structures, parking
53 areas, and other associated improvements, designed for the purpose of providing a place
54 for the discharge of various types of firearms; provided, however, that a Shooting Range
55 Facility shall not include incidental Target practice areas on private property.

56
57 Firearm: A “Firearm” means a gun, not limited to pistols, muskets, muzzle loaders, rifles
58 and shotgun, that discharges shot, bullet, round ball, slug, or other projectile by means of
59 an explosive, gas or compressed air. A “Firearm” does not include explosives, fully
60 automatic weapons, bump stocks, or large caliber rifles, including 50 caliber or 475 HH
61 Magnum, but excluding muzzle loaders of such caliber.

62
63 Archery Range: An “Archery Range” means an area or facility designated or operated
64 primarily for use of archery equipment.

65
66 Archery Equipment: “Archery Equipment” means the equipment of an archer, bow and
67 arrow, recurve or compound bow, long bow or compound bow.

68
69 Commercial: “Commercial” means the practice, act or business of selling goods, services,
70 uses or acts, including the use of a shooting range or gun range by one person or legal
71 entity to another person or legal entity for charge or a fee.

72
73 Outdoor Commercial Shooting Range or Outdoor Commercial Gun Range: “Outdoor
74 Commercial Shooting Range” or “Outdoor Commercial Gun Range” means an outdoor
75 shooting range that is held or maintained privately, publicly or on a nonprofit or
76 membership basis that is held open to the public and charges a fee for usage. Outdoor
77 Commercial Shooting Range or Outdoor Commercial Gun Range does not include a
78 shooting range on property that is not open to the public whether held by a private,
79 commercial, educational, nonprofit enterprise or on a membership basis.

80
81 Indoor Shooting Range: “Indoor Shooting Range” means an indoor area or facility
82 designated or operated primarily for the use of firearms.

83
84 Shooting Preserve or Hunt Club: “Shooting Preserve” or “Hunt Club” is a privately
85 operated facility where protected wild animals are released for shooting outside regularly
86 established seasons and regulations. Only species authorized on the shooting preserve
87 license may be released and taken. A person, corporation, or partnership may not operate
88 a shooting preserve without a valid license. There are two classes of shooting preserve,
89 private and commercial, as provided by Minnesota Statutes, sections [97A.115](#) and
[97A.121](#). (Citing Authority – Minnesota Administrative Rules, Rule 6242.0100)

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Section 5.06 Agricultural District

Section C. Conditional Uses is amended to include:

- Indoor Shooting Range
- Outdoor Commercial Shooting Range
- Shooting Preserve or Hunting Club

Section 7.32 Indoor/Outdoor Commercial Shooting Range

- A. Commercial Shooting Ranges shall be subject to the Conditional Use Permit provisions of Section 8.04 of this ordinance.
 - 1. Outdoor Commercial Shooting Ranges intended and designed for Rifle or other long-distance high velocity firearms shall be restricted to those areas of the Agricultural District located north of State Highway 95 and its easterly confluence with State Highway 8 (Taylors Falls) consistent with MN Department of Natural Resources rifle/shotgun restrictions to the southern and western portions of the State.
 - 2. Outdoor Commercial Shooting Ranges intended and designed for shotguns, muzzleloaders, handguns, archery, and other such short distance firearms as determined by the county may be proposed on Agricultural District lands north and/or south of State Highway 95.
 - 3. Indoor Shooting Range
- B. The minimum size lot for each type of shooting range is listed below, including direct fire zone and/or shotfall zone, safety zone and ricochet zone, subject to the installation of additional baffles.
 - 1. High power Rifle:
 - a. Minimum range length: 2,000 yards
 - b. Minimum range width: 1,000 yards
 - c. Minimum acreage: 400 acres
 - 2. Shotgun:
 - a. Minimum range length: 300 yards
 - b. Minimum range width: 400 yards
 - c. Minimum acreage: 160 acres
 - 3. Other range types are subject to the National Rifle Association Range Sourcebook, 2012; or successor sourcebook.
- C. The minimum range sizes listed in 7.32.B of this Ordinance may be lessened with the maximum implementation of the Performance Based “No Blue Sky” Operation and Design development criteria to include full below grade construction; the use of baffles and berms along the entire perimeter and

132 throughout the firing range and/or shotfall zone; or if constructed as a fully indoor
133 shooting range. Baffles and berms shall meet or exceed the standards listed in MN
134 State Statute 87A.02, as amended, and the National Rifle Association Range
135 Source Book 2012; or successor sourcebook, to qualify for a reduction in range
136 size.

137
138 D. Notwithstanding paragraph 7.32 C, no part of any shooting range perimeter
139 property line may be located within seven hundred fifty (750) feet of any
140 development, residential dwelling, commercial, institutional (school, daycare,
141 church) or industrial building or other structure. Said 750 ft. buffer area shall be
142 delineated, provided, and solely owned or otherwise controlled and kept free from
143 development in perpetuity by the shooting range. A site map demonstrating the
144 controlled 750 ft. buffer area and proximity to all surrounding existing
145 neighboring residential, institutional, or industrial buildings, developments, or
146 structures shall be submitted at time of application.

147
148 E. Off-street parking shall meet the requirements of Section 4.12 of this Ordinance.
149 Traffic ingress/egress and volume calculations suitable for identified roadways
150 to/from the facility shall be provided.

151
152 F. Signs shall meet the requirements of Section 4.14 of this Ordinance.

153
154 G. Performance Based Operation and Design Criteria:

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156 1. All shooting ranges shall comply with the minimum standards for range
157 design, location, management, operation, noise abatement and safety listed
158 in the National Rifle Association Range Sourcebook, 2012; or successor
159 sourcebook and MN Statute. Additional minimum specified development
160 application plan and/or design requirements not otherwise detailed in this
161 Ordinance or said Sourcebook shall include:

- 162 a. Full chain-link perimeter property security fence with passcode or
163 otherwise monitored security gate(s) and regularly spaced live fire
164 range / trespass and safety signage viewable to the public.
- 165 b. Submittal of a pre-development Phase I Environmental report and
166 post-development lead and/or other environmental contamination
167 soils Reclamation Plan to include financial surety to the
168 satisfaction and benefit of Chisago County suitable for shooting
169 range decontamination and restoration.
- 170 c. All range buildings, structures, facilities shall remain fully
171 compliance with MN State Building Code. Indoor shooting ranges
172 must conform to General Service Administrations (GSA) indoor
173 firing range Design, Operations & Maintenance Criteria April
174 2012, as amended.
- 175 d. Submittal of all Range Rules, Enforcement Policies, Safety
176 Protocols, and Operational Procedures for County Review.

- 177 e. Prohibition on the selling of firearms and serving or sales of
178 alcohol on the premises.
- 179 f. Other such reasonable and practical land use permit mitigation
180 conditions deemed required by Chisago County in the due process
181 consideration of required Conditional Use Permit review of the
182 proposal.
- 183
- 184 2. All high-power rifle or other long-distance high velocity firearm
185 commercial outdoor shooting ranges shall fully incorporate and operate
186 under the “No Blue Sky” design and facility operation and development
187 philosophy. The No Blue Sky criteria relies on range rules and design such
188 that when the shooter chambers a firearm, he/she cannot see blue sky and
189 the bullet when fired cannot get directly out of the range if adequate
190 baffling materials is used. For purposes of this Ordinance, the No Blue
191 Sky design criteria can be satisfied through use of tube ranges and bench
192 rest ranges where the firing line is within a building and sufficiently within
193 three sided berming or below grade design; baffled; and soundproofed;
194 and presents a limited downrange horizontal viewshed of restricted height
195 in which the only thing the shooter sees and bullet trajectory maintains is
196 the target and the backstop.
- 197
- 198 3. An NRA Range Evaluation Report shall be submitted with any shooting
199 range CUP application. Independent consultant certification of compliance
200 with applicable range design standards from a qualified site design
201 professional shall certify full implementation of NRA Manual Best
202 Management Practices including satisfaction of the minimum standard for
203 range design, location, management, operation, noise abatement and safety
204 and shall also be provided by the applicant at the time of CUP application.
- 205
- 206 4. A noise abatement report including Sound Modeling Software Analysis
207 and Design Assessment shall be provided at time of application
208 documenting all noise abatement measures including their cause and
209 effect, and providing evidence that ambient density, noise volume, and
210 firearm discharge frequency (volume and duration/rounds per hour) will
211 remain compliant with Minnesota Statute 87A.05 and all applicable
212 Minnesota Rules Chapter 7030 requirements and avoid nuisance noise
213 conditions for the life of the facility. “No Blue Sky” design focused tube
214 and bench rest ranges incorporating the use of sound deadening materials,
215 sound proofed walls, baffles, and backstops, shall be incorporated into the
216 noise mitigation measures.
- 217
- 218 5. Dates, times, and frequency of operation and related noise shall be
219 identified and defined in all shooting range proposals. In effort to mitigate
220 nuisance noise, shooting frequency, eligible weekday and weekend
221 dates/times, type, or noise generated shall be strictly limited, mechanically

222 and/or structurally muffled through firearm and/or range design and by
223 condition of any granted permit.

- 224
225 6. Unsatisfactory noise mitigation measures as determined by the County
226 shall be clear grounds and findings for permit revocation and/or denial.
227

228 H. Minnesota State Statutes Chapter 87A Shooting Ranges is acknowledged by
229 reference and shall be adhered to as the minimum standards set forth in the
230 development and operation. Where applicable, Chisago County shall endeavor to
231 be substantially more restrictive than Minnesota Statutes Chapter 87A in shooting
232 range development, design, and operational requirements.
233

234 I. Community Meeting: Prior to submission of an application for a Commercial
235 Shooting Range CUP, a community open house information meeting shall be
236 organized and hosted by the project developer. The purpose of the meeting is
237 outreach, with the intent of providing complete information to the community in
238 an informal setting. The meeting shall not be construed to be a local government
239 meeting or formal public hearing. The meeting may be conducted virtually over a
240 minimum 30-day period of time or in-person as a onetime occurrence and shall be
241 conducted in accordance with the following protocol:

- 242 1. Notification: The proposer shall notify the County Board of
243 Commissioners, Zoning Administrator, the Township Board of the
244 affected Township, and all property owners within three (3) miles of the
245 proposed Commercial Shooting Range a minimum of ten (10) working
246 days prior to the community meeting.
- 247 2. Meeting Date/Time/Location: The meeting shall be held on a weeknight
248 (Monday through Thursday) at the Chisago County Government Center.
249 If conducted virtually, the meeting shall be noticed and open for electronic
250 viewing, comment, and participation over a 30-day period utilizing
251 interactive internet-based website hosting or other generally accessible
252 electronic means approved by the county.
- 253 3. Content of Meeting: The informational meeting, whether hosted in person
254 or electronically, shall be arranged and hosted by the applicant or a
255 qualified representative and shall at a minimum include a detailed
256 explanation of the project, the site plan for the proposed project, and
257 anticipated design safety and noise mitigation efforts of the development
258 plan.
- 259 4. County Representation: Chisago County Environmental Services
260 personnel shall be invited to attend the meeting, to monitor proceedings
261 and provide guidance as needed.
- 262 5. Response to Concerns: The project developer shall solicit and accept all in
263 person or electronic comments, questions and concerns of the citizens at
264 the meeting, and respond to the identified concerns with reasonable,

265 practical means and methods of mitigating undue impact to the
266 surrounding area.
267 6. Meeting Summary and Report: A summary and report regarding the
268 community meeting shall be submitted to the Department at the time of
269 application for the Commercial Shooting CUP. The report shall include a
270 list of the landowners who were invited, a record of attendees, and copies
271 of all written comments received. The report shall itemize the concerns
272 stated by the citizens and shall include a statement of reasonable, practical
273 mitigation the proposer will undertake to address those concerns and
274 minimize impact to the community.

275 J. Nothing in this section shall preclude a private property owner or occupant from
276 exercising their right to discharge firearms in a non-commercial manner on their
277 property in a safe and lawful manner.

278
279 K. Public Law Enforcement Agency shooting range facilities shall be exempt from
280 this Ordinance as determined by the County.

281
282 **7.33 Hunting Clubs and Shooting Preserves**

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284 A. Hunting Clubs and Shooting Preserves shall be subject to the Conditional Use
285 Permit provisions of Section 8.04 of this Ordinance.

286
287 B. Hunting Clubs and Shooting Preserves shall be subject to standards set forth in
288 Minnesota Statutes, Section 97.A.115; or successor statutes, and Minnesota Rules,
289 chapter 6242; or successor rules.

290
291 C. A detailed site plan showing the following features shall be submitted with any
292 CUP application for a Hunting Club or Shooting Preserve:
293 1. Property lines.
294 2. Wetland boundaries for wetlands within the property.
295 3. Adjacent residences and structures within one thousand (1,000) feet of the
296 property line.
297 4. A topographic map of the property at a scale to be determined by the
298 Department.
299 5. Proposed parking areas, locations of proposed signs and the location of
300 existing and proposed structures.
301 6. Layout of proposed hunting areas including identified shot fall, ricochet,
302 and safety zones.
303 7. Traffic ingress/egress and volume calculations suitable for identified
304 roadways to/from the facility.

305
306 D. Firearms shall not be discharged within one thousand (1,000) of a residential
307 dwelling, campground, or institutional (schools, churches, daycare) facility.
308

- 309 E. There shall be no discharge of lead shot into any wetland.
- 310
- 311 F. Shooting range development or features incorporated as part of a Hunting Club or
- 312 Shooting Preserve shall be subject to the Conditional Use Permit provisions of
- 313 Section 7.32 of this Ordinance.
- 314
- 315 G. Signage shall be subject to Section 4.14 of this Ordinance and parking shall be
- 316 subject to Section 4.12 of this Ordinance.
- 317
- 318 H. The Board may establish such other conditions it deems necessary to protect the
- 319 public health, safety, and welfare including, but not limited to, hours, days, and
- 320 frequency of operation, sanitation requirements, screening, landscaping, fencing,
- 321 setbacks, and density of uses within the site.

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