

AGENDA REPORT

Meeting of the San Marcos Planning Commission

MEETING DATE: January 19, 2015
SUBJECT: North County Shooting Center, Inc.
CASE: P15-0031 (Zoning Ordinance Text Amendment (TA) 15-001/Conditional Use Permit (CUP) 15-007/Mitigated Negative Declaration (ND) 15-008)

Recommendation

Recommend to the City Council approval of a Zoning Ordinance Text Amendment (TA 15-001) to allow for the operation of indoor firearm shooting ranges as a conditionally permitted use within the Industrial (I) zone and establish development and operational standards for such a use; approval of a Conditional Use Permit (CUP 15-007) to allow the construction and operation of a 15,612 square foot indoor firearm shooting range in the Industrial (I) Zone; and adopt a Mitigated Negative Declaration (ND 15-008) for the project in compliance with the California Environmental Quality Act (CEQA).

Introduction

The project consists of two (2) components:

- 1) Zoning Ordinance Text Amendment (TA) 15-001
- 2) Conditional Use Permit (CUP) 15-007

The applicant is requesting to amend Title 20 of the San Marcos Municipal Code (SMMC) by adding "firearm shooting ranges (indoor)" as a conditionally permitted use in the Industrial (I) Zone, establish operational standards, and parking requirements for indoor firearm shooting ranges. See attached Exhibit "A" for precise code language. In concurrence with the text amendment, the applicant is requesting approval of a Conditional Use Permit to allow the construction and operation of a 15,612 square foot indoor firearm shooting range and firearm retail store on a 36,338 square foot property located on the north side of Descanso Avenue, approximately 847 feet northwest of Las Posas Road in the Industrial (I) zone. Specifically, the facility will consist of a 7,838 square foot shooting range containing twenty (20) firing lanes, 3,695 square feet of retail & office area, and 4,079 square feet of storage space.

Zoning Ordinance Text Amendment

Currently, the City's Zoning Ordinance does not list indoor firearm shooting ranges as a permitted or conditionally permitted use in any zone. Therefore, to allow indoor firearm shooting ranges in the City of San Marcos, a Zoning Ordinance Text Amendment is required. The proposed amendment provides standards to address the physical design and operation of indoor firearm shooting ranges to minimize



conflicts with adjacent uses, and to ensure the facility is operated in a manner to protect the public health, safety, and general welfare. Key provisions in the proposed text amendment include:

- Review process – Indoor firearm shooting ranges would be allowed in the Industrial (I) Zone subject to Conditional Use Permit (CUP). A CUP provides the decision-making body discretion over the use, and requires the body to make findings;
- Distance buffers – five hundred (500) foot separation from a child care facility, K-12 public school, public park, residential zoning district, bar, brewery, or any another indoor firearm shooting range;
- The proposed indoor shooting range must be properly designed, constructed and equipped for the discharge of firearms within the facility;
- The proposed indoor shooting range must be properly designed, constructed and equipped to contain all firearm discharge noise inside the facility to a level compliant with the noise standards in the Industrial (I) zone;
- Hours of operation – 7:00 a.m. to 10:00 p.m.
- Parking – a new parking ratio for indoor shooting ranges: 1.25 spaces for each shooting lane within the range, plus one parking space for every 250 square feet of office and retail area, plus one space for every 4,000 square feet of storage space.

The proposed amendment will revise the following San Marcos Municipal Code Chapters:

- *Chapter 20.230 (Industrial Zones)*– “Firearm Shooting Range (Indoor)” added to Table 20.230-2 of Section 20.230.040 (Industrial District Permitted Uses) as a conditionally allowed use in the Industrial (I) zone;
- *Chapter 20.400 Specific Use Standards* – development and operational standards for indoor firearm shooting ranges are added in a new subsection of Section 20.400;
- *Chapter 20.340 Off Street Parking & Loading* – an off-street parking standard is established for indoor firearm shooting ranges and added to Table 20.340-1 (Parking Requirements by Land Use);
- *Chapter 20.600 (Definitions)* – Definitions for Firearm, Firing Line, Firearm Shooting Lane, and Firearm Shooting Range (Indoor) are added to Subsection 20.600.080 (“F” definitions)

Precise language to be inserted into the San Marcos Municipal Code is included as “Attachment A.”

Analysis

The proposed Zoning Ordinance Text Amendment does not conflict with any goal, objective, or policy of the General Plan. The amendment is consistent with the General Plan in that the allowance of such uses in the Industrial (I) zone helps to achieve a balanced distribution and compatible mix of land uses to meet the future and present needs of all residents and the business community (Land Use & Community Design Element Goal LU-1) and helps to maintain a supportive business climate and a healthy, sustainable economy creating additional employment opportunities (Land Use & Community Design Element Goal LU-6). Furthermore, the amendment is consistent with General Plan policies that relate to noise and hazardous materials (Noise Element Policies N-1.1 – N-1.5 and Safety Element Policy S-4.3). The proposed amendments will establish standards and requirements for indoor firearm shooting ranges in the Industrial (I) Zone and will establish operational standards (e.g., distance requirements and noise mitigation) that will ensure the use is located and operated in a manner that is safe and is



compatible with surrounding uses and the environment. Staff analyzed land use compatibility with all Industrial zones (Industrial, Heavy industrial, Light Industrial, Business Park, etc.) and recommends firearm shooting ranges be conditionally permitted with operational conditions in the Industrial (I) Zone only since the use is consistent and does not conflict with the purpose and intent of the Industrial (I) zone.

To establish an off-street parking ratio, staff analyzed operational characteristics of the use and parking requirements from other jurisdictions. In addition, Linscott, Law and Greenspan (LLG) prepared a parking memorandum which analyzed two (2) indoor firearm shooting ranges in San Diego County with similar operational characteristics to determine the highest parking demand. Based on staff's research and field research conducted by LLG, the recommended parking ratio is 1.25 parking spaces per shooting lane, plus 1 parking space for every 250 square feet of retail and office area, plus one parking stall for every 4,000 square feet of storage space.

The San Diego County Sheriff's Department reviewed the proposed text amendment. The Sheriff's Department has also acknowledged that with the requirement of a Conditional Use Permit, any proposed indoor firearm shooting range will be routed to the Sheriff's Department for review and additional requirements may be imposed or added. To ensure Sheriff's Department discretion as part of the CUP process and to ensure a prospective applicant for a shooting range is aware of the review, the text amendment includes a disclosure indicating that as part of the Conditional Use Permit process, additional submittal and operational requirements may be imposed or added by the San Diego County Sheriff's Department.

Conditional Use Permit

In conjunction with the Zoning Ordinance Text Amendment, the applicant is requesting approval of a Conditional Use Permit to allow for the construction and operation of a 15,612 square foot indoor firearm shooting range and firearm retail store on a 36,338 square foot property in the Industrial (I) zone. As indicated, the City's Zoning Ordinance does not list indoor firearm shooting ranges as a permitted or conditionally permitted use in any zone or provide a regulatory process for proposed indoor firearm shooting ranges. Therefore, the Zoning Ordinance Text Amendment is required to be processed concurrently with the Conditional Use Permit. The Conditional Use Permit process will result in development and operational conditions for the proposed use.

Discussion

The project site has a Zoning and General Plan land use designation of Industrial (I) and is located on the north side of Descanso Avenue approximately 847 feet northwest of Las Posas Road (See Attachment "B"). Currently, there is an outdoor building material storage and sales business (North County Supply) on the project site. Surrounding land uses include an industrial park to the north, an outdoor building material and sales business to the west, an industrial park to the east, and industrial uses to the south. Total square footage for the proposed indoor firearm shooting range is 15,612 square feet and consists of 3,695 square feet of retail & office area, a 7,838 square foot shooting range with 20 firing lanes, and 4,079 square feet of storage space. The proposed development also includes a forty-one (41) space parking



lot with perimeter landscaping. Direct access to the site is provided off of Descanso Avenue. The site plan for the project is included as Attachment "E."

The project proposes an enhanced architectural style by incorporating enhanced tower elements, staggered building planes and varied rooflines, and an exterior consisting of stucco and stone veneer materials. The roof equipment will be screened from view from State Route 78 and adjacent streets and properties. Approximately 4,778 square feet of landscaping (13.2% coverage) will be installed with the project. Landscaping will comply with the State of California Model Water Efficiency Landscape Ordinance and will include, but not be limited to, Evergreen Elm Trees, African Sumac trees, and various shrubs including Orange Toro Bells and White Gaura.

The indoor shooting range has been designed so that firearm discharge noise is not audible from outside the building. An acoustical assessment was prepared by Michael Baker International which analyzed the proposed sound proofing measures proposed by the applicant and concluded that the walls around the perimeter of the firing range, which include concrete tilt-up walls with six-inch 25-gauge studs, one layer troy sound board, and two-inch troy wool sound insulation, are adequate in attenuating exterior sound to a level of 35 dBA. The current permitted sound threshold within the City's Industrial zone is 65 dBA between 7:00 am and 10:00 pm; therefore, the proposed sound proofing measures will reduce projected sound levels well below the permitted threshold. To further mitigate any potential noise issues associated with business operations, the project has been conditioned to take additional noise measurements outside the building once occupied and operating to confirm firearm discharge noise is under the permitted threshold sounds in the Industrial (I) zone.

The facility will be designed to ensure that fired ammunition will be contained within the building utilizing a "Reclining GranTrap" design. The applicant has indicated that they will be obtaining the services of a construction company that specializes in this type of construction work. As part of the building permit process, the applicant is required to submit documentation that demonstrates the adequacy of building improvements to contain fired ammunition within the building. In addition to containing fired ammunition, all spent firearm ammunition and its byproduct, which is lead, will be kept inside the building. Ammunition and lead will be properly handled, used, stored, transported, and/or disposed of in accordance with San Diego County Department of Environmental Health regulatory standards.

ITE's Trip Generation Manual and SANDAG's Brief Guide of Vehicular Traffic Generation Rates for the San Diego Region does not identify a trip generation rate for an indoor firearm shooting range. Therefore, to estimate the number of trips anticipated for an indoor firearm shooting range, a traffic & parking memorandum was prepared by Linscott, Law, and Greenspan (LLG). LLG collected trip generation data at two (2) shooting ranges in San Diego County with similar operational characteristics to determine a Peak Hour Trip Rate and Average Daily Trip rate. Based on the facility that generated the highest number of trips, the proposed indoor firearm shooting range is assumed to generate 18.86 average daily trips per shooting lane, with 0.071 trip per lane occurring during the AM peak hour and 1.64 trips per lane during the PM peak hour. Based on these counts, it is estimated that the proposed project would generate 378 average daily trips, 1 AM peak hour trip, and 33 PM peak hour trips.



Vehicles will access the site from Descanso Ave. and Las Posas Road but may also access the site from Mission Road, N. Pacific Street, Rancho Santa Fe Road, and Capalina Road. Based on the most recent available data for the year 2013, Las Posas Road carried an average of 26,715 vehicles per day in both directions between State Route 78 and Mission Road; Mission Road, an average of 14,833 vehicles between Rancho Santa Fe Road; and, Las Posas Road and Rancho Santa Fe Road carried an average of 19,259 vehicles per day between State Route 78 and Capalina Road. Conservatively assuming that all 378 daily trips would occur on each road segment, the project would increase daily traffic flow by 1.4% on Las Posas Road (Projected 27,093 ADT = LOS "B"), 2.5% on Mission Road (Projected 15,211 ADT = LOS "B"), and 2% on Rancho Santa Road (Projected 19,637 ADT = LOS "B"). The estimated increases in traffic flow would not substantially add to congestion in the area and therefore would not conflict with Policy M-1.4 in the City's Mobility Element to provide a minimum level of service (LOS) D for vehicles on these roadways. Because of the low trip generation, the project is not anticipated to cause a significant impact at any of the nearby intersections nor expected to conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the City's circulation system.

With approval of the Zoning Ordinance Text Amendment, the parking requirement for the facility is 1.25 parking spaces per shooting lane, plus 1 parking space for every 250 square feet of retail and office area, plus one parking stall for every 4,000 square feet of storage space. The proposed project includes twenty (20) shooting lanes, 3,695 square feet of retail and office, and 4,079 square feet of storage space. Therefore, the site complies with the off-street parking requirement by providing forty-one (41) spaces.

To ensure the facility is operated in a safe and responsible manner, the following operational conditions have been added as conditions of approval:

- At least two (2) Range Safety Officers must be on duty during operating hours. Range Safety Officers are responsible for the operation and maintenance of the shooting range, inspection of all firearms used in the range, enforcement of safety protocols, ensuring all firearms and ammunition are securely and safely stored, and ensuring all firearms are being properly handled (Condition K.4.a-e).
- No person, employee, member, or customer of the indoor shooting range shall be allowed to enter or leave the premise with a loaded firearm unless permitted by or exempted by state or federal law (Condition K.6).
- All persons utilizing the shooting range area must wear approved eye and ear protection under the supervision of the Range Safety Officer (Condition K.11).
- No other weapons, other than legal firearms, shall be discharged in the facility (Condition K.12).

In addition to safety conditions, the applicant is required to comply with all Federal and State laws. This includes obtaining a Federal Firearms Dealer's License, State of California Firearms Dealers License, State of California High Capacity Magazine Permit, and a Second Hand Dealer's License from the San Diego County Sheriff's Department (for sale of used firearms). It should be noted that the Federal Firearms Dealer's License requires background checks on all owners and employees of the facility.



Environmental

Pursuant to the California Environmental Quality Act (CEQA), A Mitigated Negative Declaration (ND 15-008) (Attachment F) was prepared for the project. ND 15-008 was circulated for a 21-day public review period from December 3, 2015 to December 23, 2015. At the end of the 21-day public review period no comments were received.

Public Comment

A public notification of the project occurred in accordance with California Government Code 65091 and San Marcos Municipal Code (SMMC) Section 20.505.030 (Noticing for Public Hearings). No public comments have been received regarding the project.

Attachment(s)

Adopting Resolution PC 16-4511 (Zoning Ordinance Text Amendment 15-001)

Adopting Resolution PC 16-4512 (Conditional Use Permit 15-007)

- A- Proposed Changes to the San Marcos Municipal Code (Title 20)
- B- Vicinity Map
- C- Requested Entitlements
- D- Site & Project Characteristics
- E- Site Plan
- F- Elevations
- G- Negative Declaration (ND 15-008) with Parking Memorandum & Acoustical Assessment
- H- Staff Memorandum

Prepared by:




Art Piñon, Assistant Planner

Approved by:



Karen Brindley, Planning Division Manager

Submitted by:



Matt Little, Development Services Director / City Engineer

AGENDA ITEM NO. _____



ATTACHMENT A

Proposed Changes to the San Marcos Municipal Code (Title 20)

Proposed text to be inserted into the San Marcos Municipal Code is underlined.

Amendment to Chapter 20.230 Industrial Zone

Table 20.230-2 (Industrial District Permitted Uses) is proposed to be amended by the addition of the following:

Land Use	L-I	B-P	I	I-2	Additional Use Regulations
Services					
<u>Firearm Shooting Range (Indoor)</u>	--	--	<u>CUP</u>	--	<u>Section 20.400.240 (Firearm Shooting Range (Indoor)), 5.60 (Firearms)</u>

Amendment to Chapter 20.400 Specific Use Standards

Chapter 20.400 (Specific Use Standards) is proposed to be amended by the addition of a new subsection as follows:

Section 20.400.240 Firearm Shooting Range (Indoor)

The purpose and intent of this section is to provide standards for the location and operation of indoor firearm shooting ranges by locating such facilities in appropriate areas with minimal adverse impact on the community and its resources, and providing operational standards that will protect the public health, safety, and general welfare of the community.

- A. **Permit Required.** Indoor firearm shooting ranges are a conditionally permitted use within the Industrial (I) zone with Conditional Use Permit (CUP) approval provided the business conforms with all applicable Federal, State, and County standards, as well as all applicable requirements of the San Marcos Municipal Code. Indoor Firearm shooting ranges are prohibited in all other zones of the City.
- B. **Distance Requirements.** The exterior walls of an indoor firearm shooting range shall not be located within five-hundred (500) feet of a child care facility, K-12 public school, public park, residential zoning district, bar, brewery, or any another indoor firearm shooting range.
- C. **Noise.** The proposed indoor firearm shooting range must be properly designed, constructed, and equipped to completely contain all firearm discharge noise within the building and/or tenant space. The maximum allowable exterior noise level shall comply with San Marcos Municipal Code (SMMC) 20.300.070.F as measured at the property line. Where a property is occupied by more than one use (whether within the same building or in separate buildings) the noise level shall not exceed forty-five (45) dBA as measured within the interior space of the neighboring establishment. Noise caused by motor vehicles traveling to and from the site are exempt from this standard.



ATTACHMENT A (Continued)

- D. **Interior Building Design.** The proposed indoor firearm shooting range must be properly designed, constructed, and equipped to contain all firearm ammunition within the building and/or tenant space.
- E. **Hours.** Indoor firearm shooting ranges shall be permitted to operate during the hours of 7:00 a.m. to 10:00 p.m., unless otherwise approved through the Conditional Use Permit.
- F. **Retail Firearm Sales.** Retail firearm sales and repair services are permitted in conjunction with indoor firearm shooting range operations. The applicant must comply with all Federal and State requirements for such sales and services as well as all requirements in San Marcos Municipal Code (SMMC) Chapter 5.60 (Firearms).
- G. **Public Safety.** As part of the Conditional Use Permit process, additional submittal and operational requirements may be imposed or added as conditions of approval as deemed necessary by the San Diego County Sheriff's Department.

Amendment to Chapter 20.340 Off-Street Parking & Loading

Table 20.340-1 (Parking Requirements by Land Use) is proposed to be amended by the addition of the following use under general category Service Uses:

Land Use	Minimum Parking Requirement	Additional Use Regulations
Service Uses		
<u>Firearm Shooting Range (Indoor)</u>	<u>1.25 parking spaces/shooting lane, plus 1 parking space for every 250 square feet of retail and office area, plus 1 parking space for every 4,000 square feet of storage/warehouse area</u>	



ATTACHMENT A (Continued)

Amendment to Chapter 20.600 Definitions

Chapter 20.600.080 ("F" Definitions) is proposed to be amended by the addition of the following definitions:

Firearm. Any barreled weapon capable of firing a projectile or bullet using an explosive charge.

Firing line. A safe and secure line parallel to fixed targets from which firearms are discharged. A firing line is generally broken up into individual "shooting lanes" from which firearms are discharged.

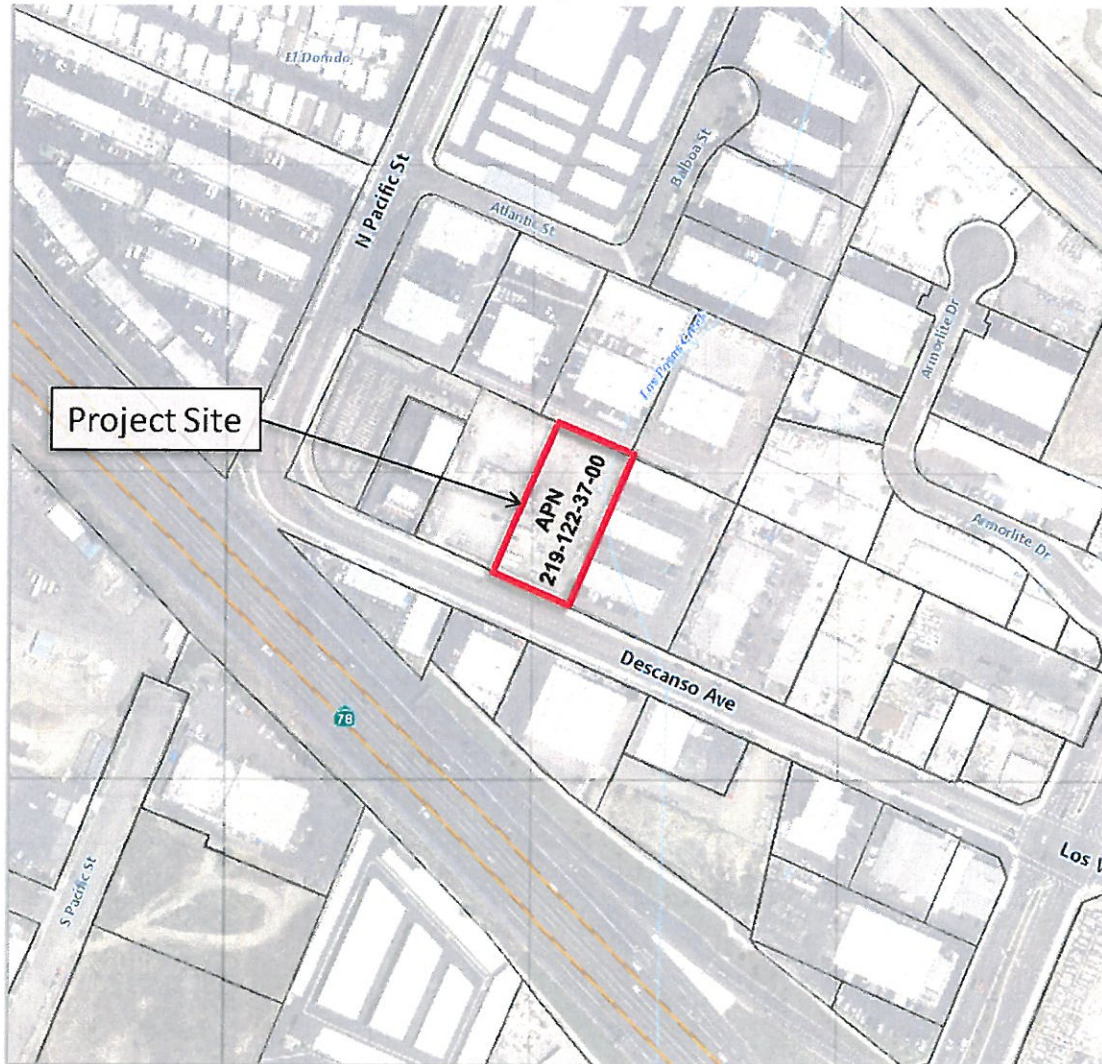
Firearm Shooting Lane. A division of the firing line within a firearm shooting range intended to serve as a firing point for an individual shooter, provide a location for mounting individual targets, and offer a shelf for shooters to use. Firearm shooting lanes are typically separated with walls arranged perpendicular to the firing line designed to protect shooters from adjacent shooters by minimizing side blast interference and reducing the hazard of misdirected shots.

Firearm Shooting Range (Indoor). A completely enclosed facility designed to offer a controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation suitable for the range's approved use.



ATTACHMENT B

Vicinity Map



AGENDA ITEM NO. _____



ATTACHMENT C

Requested Entitlements

- 1) Zoning Ordinance Text Amendment (TA) 15-001: Applicant is requesting to amend Title 20 of the San Marcos Municipal Code (SMMC) by) to add firearm shooting ranges (indoor) as a conditionally permitted use in the Industrial (I) zone in SMMC 20.230; establish parking requirements for firearm shooting ranges (indoor) in SMMC 20.340; establish operational and development standards for indoor firearm shooting ranges in SMMC 20.400 (Specific Use Standards); and insert definitions for "firearm," "firearm shooting range (indoor)," and "firing line" in SMMC 20.600 ("F" Definitions).
- 2) Conditional Use Permit (CUP) 15-007: Applicant is requesting approval of a Conditional Use Permit to allow for the construction and operation of a 15,612 square foot indoor firearm shooting range and firearm retail store (3,695 square feet of retail & office area, 7,838 square foot shooting range area consisting of 20 firing lanes, and 4,079 square feet of storage space) on a 36,338 square foot property in the Industrial (I) zone.



ATTACHMENT D

Site & Project Characteristics

<u>Property</u>	<u>Existing Land use</u>	<u>Zoning</u>	<u>General Plan Designation</u>
Subject	Building Materials Storage Yard	Industrial (I)	Industrial (I)
North	Industrial Center	Industrial (I)	Industrial (I)
South	Metal Working Shop	Industrial (I)	Industrial (I)
East	Industrial Center	Industrial (I)	Industrial (I)
West	Building Materials Storage Yard	Industrial (I)	Industrial (I)

Flood Hazard Zone	<u> X </u> yes	<u> </u> no
Sewers	<u> X </u> yes	<u> </u> no
Septic	<u> </u> yes	<u> X </u> no
Water	<u> X </u> yes	<u> </u> no
Gen. Plan Conformance	<u> X </u> yes	<u> </u> no
Land Use Compatibility	<u> X </u> yes	<u> </u> no

*The eastern portion of the property is located within the 100-year floodplain. However, no buildings are proposed to be constructed in this area.

**With approval of a Conditional Use Permit

Development Standards per the Industrial (I) Zone

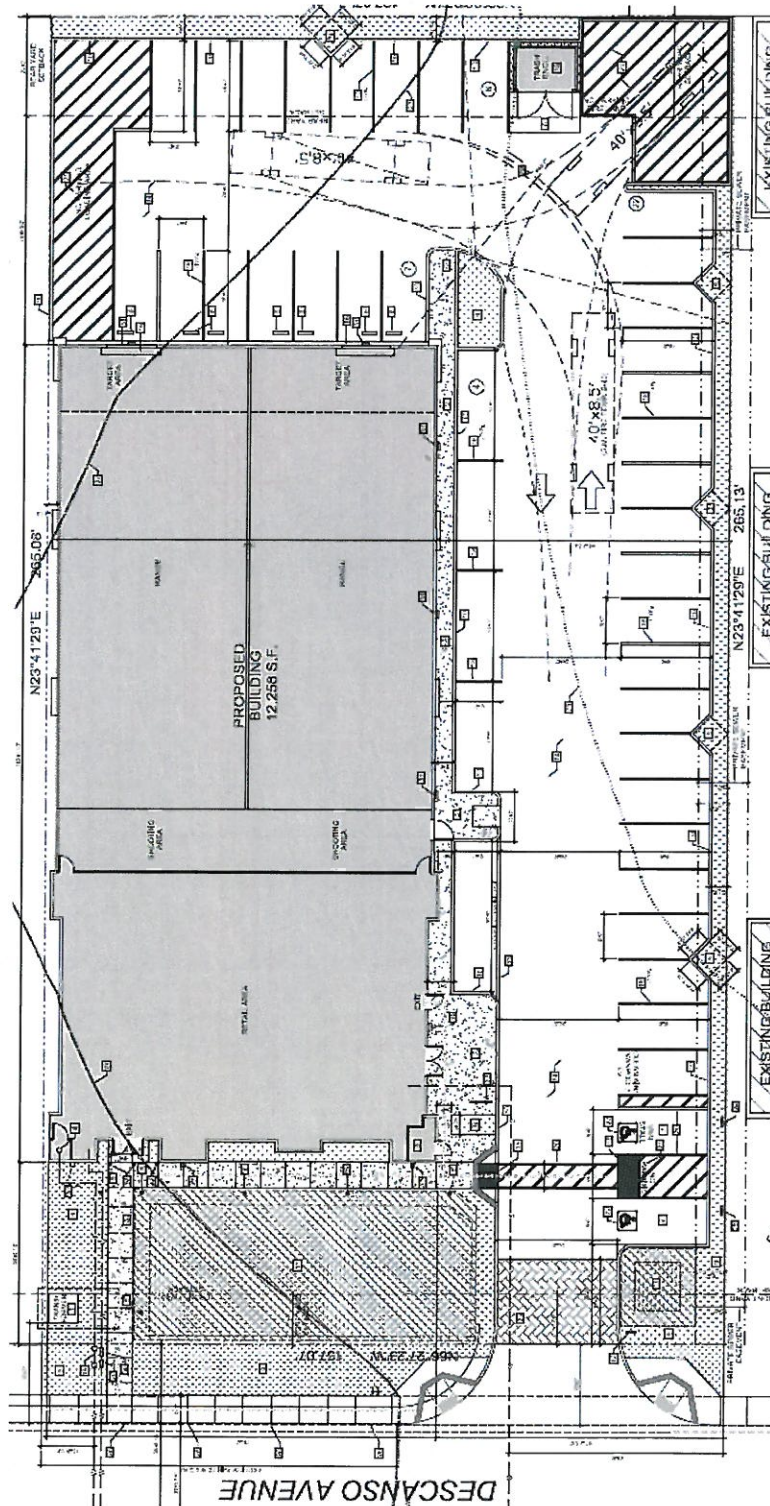
<u>Setbacks</u>	<u>Required</u>	<u>Proposed Facility</u>
Front	10 ft.	≈ 36 feet
Rear	0 ft.	≈ 45 feet
Side	0 ft.	≈ 2 feet
		≈ 57 feet
Building Height	45 ft.	≈ 35 feet

AGENDA ITEM NO. _____



ATTACHMENT E

Site Plan



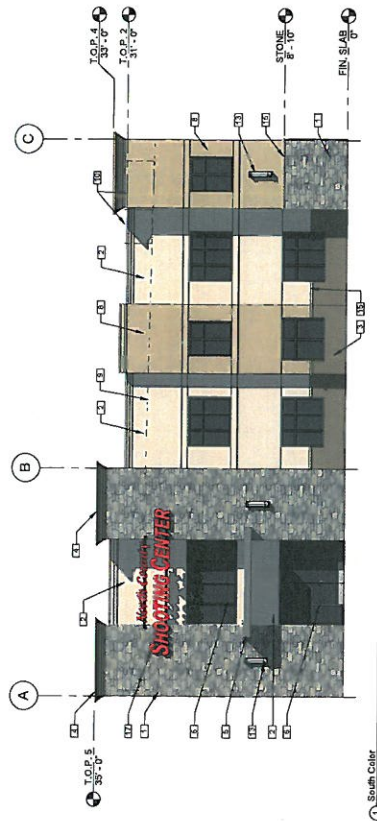
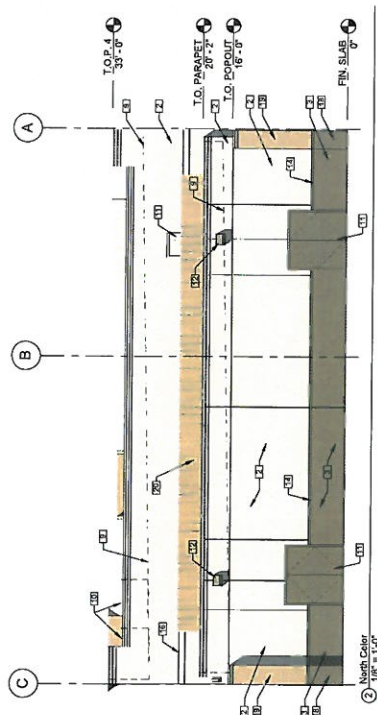
AGENDA ITEM NO. _____



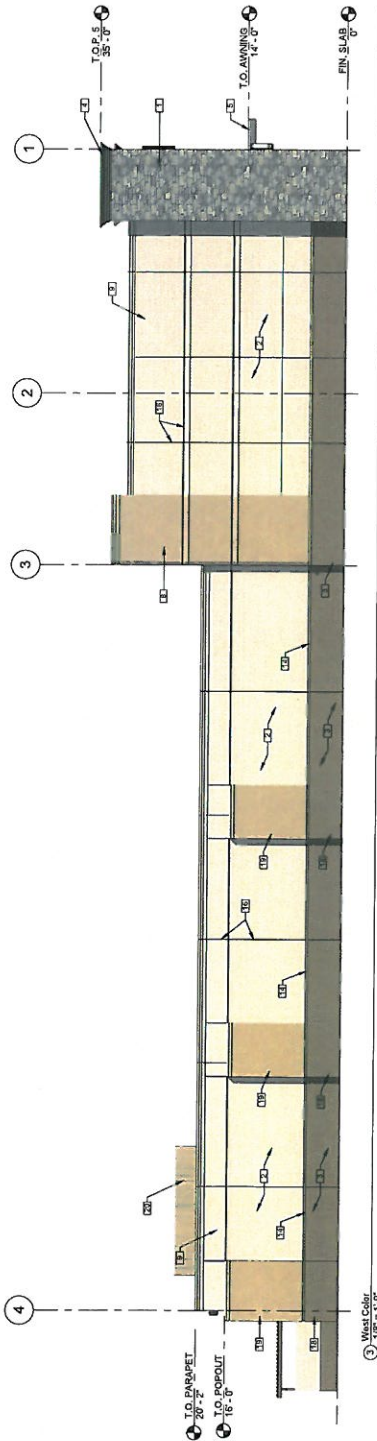
ATTACHMENT F

Elevations

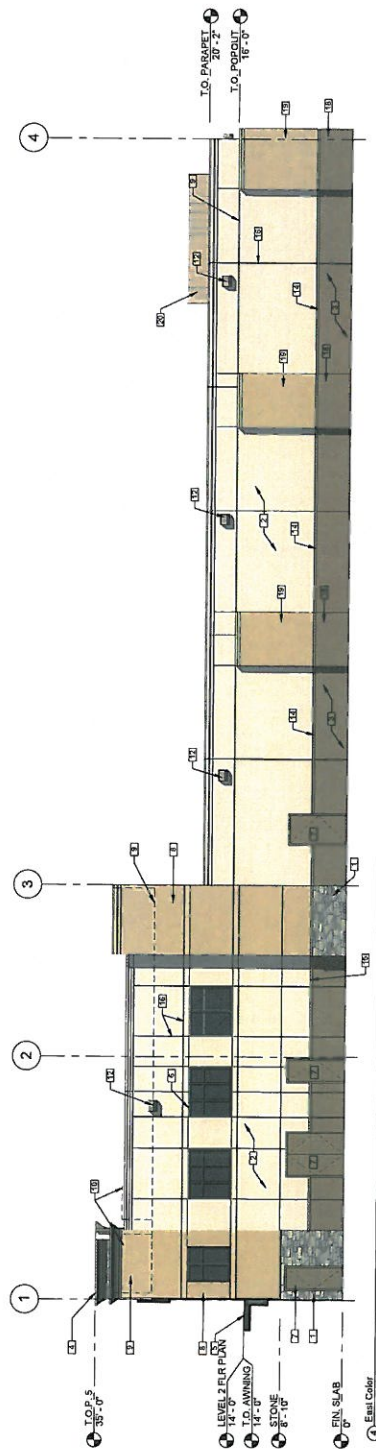
AGENDA ITEM NO. _____



1 South Elevation
1/8" = 1'-0"



3 West Elevation
1/8" = 1'-0"



4 East Elevation
1/8" = 1'-0"

KEYNOTES

- 1 ENGINEERED STONE VENEER - ELDERADO FIELDLEDGE - VENETO
- 2 PAINTED CONCRETE TILT-UP PANEL - FRAZEE "GULL" CL 2861W
- 3 PAINTED CONCRETE TILT-UP PANEL - FRAZEE "SPADE" CL 2778A
- 4 PLASTER WRAPPED FOAM CORNICE - FRAZEE "SPADE" CL 2778A
- 5 BREAK METAL WRAPPED ANCHOR - CLEAR ANODIZED FINISH
- 6 BRONZE ANODIZED ALUMINUM STOREFRONT WINDOW
- 7 PAINTED EXTERIOR STEEL DOOR - FRAZEE "SPADE" CL 2778A
- 8 PAINTED CONCRETE TILT-UP PANEL - FRAZEE "WRINKLE" CL 2724D
- 9 OUTLINE OF ROOFTOP HVAC EQUIPMENT BEYOND SHOWN DASHED
- 10 PAINTED METAL DOUBLE DOORS - FRAZEE "GULL" CL 2861W
- 11 WALLPACK SECURITY LIGHTING
- 12 SCIENCE ACCENT LIGHTING
- 13 CONCRETE REVEAL & COLOR BREAK
- 14 Z LEDGER STONE
- 15 T CHAMFERED REVEAL IN CONCRETE
- 16 LIGHTED CHANNEL LETTER SIGNAGE
- 17 SMOOTH FROWEL STUCCO @ POP-OUT FRAZEE "SPADE" CL 2778A
- 18 SMOOTH FROWEL STUCCO @ POP-OUT FRAZEE "WRINKLE" CL 2724D
- 19 STANDING SEAM METAL RVTU SCREEN FRAZEE "WRINKLE" CL 2724D

NO	DATE	REVISION



NORTH COUNTY SHOOTING CENTER 1440 DESCANSO AVE SAN MARCOS, CA 92069		IB&A ARCHITECTS 222 NORTH WILSON ST. SUITE 100, SAN MARCOS, CA 92069 PHONE (760) 733-1444 FAX (760) 733-1445 EMAIL: INFO@IBANDARCHITECTS.COM	
DATE	CHECKED	DATE	CHECKED
11.10.14	M. L. K.	11.10.14	M. L. K.
PROJECT NO. 1440		PROJECT NO. 1440	
SHEET NO. A3.1P		SHEET NO. A3.1P	
DRAWN BY: M. L. K.		DRAWN BY: M. L. K.	
CHECKED BY: M. L. K.		CHECKED BY: M. L. K.	
SCALE: AS SHOWN		SCALE: AS SHOWN	



ATTACHMENT G
Staff Memorandum

AGENDA ITEM NO. _____



Memorandum

DATE: January 12, 2016
TO: Planning Commission
FROM: Art Piñon, Assistant Planner
SUBJECT: North County Shooting Center, Inc. –Corrections to the Notice of Public Hearing and Mitigated Negative Declaration (ND -15-008)

The purpose of this memorandum is to identify changes to the Notice of Public Hearing and Mitigated Negative Declaration (ND 15-008). Changes to the documents are as follows:

1. The Notice of Public Hearing sent out January 5, 2016 and the legal ad published January 7, 2016 should have included “firearm shooting lane” as a definition to be inserted into the Zoning Ordinance. Additionally, the building square footage contained a typo and shall be modified from 15,312 square feet to 15,612 square feet. Therefore, the project request shall be modified to read as follows:

Request: To amend the text of Title 20 (Zoning Ordinance) of the San Marcos Municipal Code (SMMC) to add firearm shooting ranges (indoor) as a conditionally permitted use in the Industrial (I) zone in SMMC 20.230; insert a parking requirement for firearm shooting ranges (indoor) in SMMC 20.340; establish operational and development standards for firearm shooting ranges (indoor) in SMMC 20.400 (Specific Use Standards); and insert definitions for “Firearm,” “Firing Line,” “Firearm Shooting Lane,” and “Firearm Shooting Range (Indoor),” in SMMC 20.600 (“F” Definitions). In concurrence with the text amendment, the applicant is requesting approval of a Conditional Use Permit, as well as adoption of a Mitigated Negative Declaration (the environmental review document), to allow for the construction and operation of a ~~15,312~~ 15,612 square foot indoor firearm shooting range and firearm retail store on a 36,338 square foot property located on the north side of Descanso Avenue approximately 847 feet northwest of Las Posas Road in the Industrial (I) zone.

2. The square footages referenced in the Mitigated Negative Declaration (ND 15-008) circulated December 3, 2015 to December 23, 2015 shall be modified to reflect the correct square footage



of the building, which is 15,612 square feet. Specifically, the following sections of the Mitigated Negative Declaration (ND 15-008) shall be modified to read as follows:

Page 1, Section 8 (Description of Project), Lines 5-10: Applicant is requesting approval of a Conditional Use Permit to allow for the construction and operation of a ~~15,982~~ 15,612 square foot indoor firearm shooting range and firearm retail store (~~3,395~~ 3,695 square feet of retail & office area, 7,838 square foot shooting range area consisting of 20 firing lanes, and 4,079 square feet of storage space) on a 36,338 square foot property.

Page 22, Section 10 (Land Use and Planning), Paragraph (a), Lines 3-6: In conjunction with the Zoning Ordinance Text Amendment, the applicant is requesting approval of a Conditional Use Permit to allow for the construction and operation of a ~~15,534~~ 15,612 square foot indoor firearm shooting range and firearm retail store on a 36,338 square foot property.

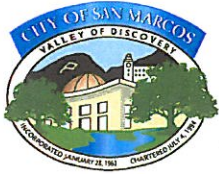
Page 29, Section 13 (Population & Housing), Paragraph (a), Lines 4-6: Additionally, the applicant is requesting approval of a Conditional Use Permit to allow for the construction and operation of a ~~15,534~~ 15,612 square foot indoor firearm shooting range and firearm retail store on a 36,338 square foot property.

3. Exhibit D of ND 15-008 shall be modified to reflect the updated text amendment language in the Staff Report and Resolution (Resolution PC 16-4511). Updates to the language are identified below:

Page 7, Exhibit D, Section C, modify to state: **Noise.** The proposed indoor firearm shooting range must be properly designed, constructed, and equipped to completely contain all firearm discharge noise within the building and/or tenant space. Where a property is occupied by more than one use (whether within the same building or in separate buildings) the noise level shall not exceed forty-five (45) dBA as measured within the interior space of the neighboring establishment. Noise caused by motor vehicles traveling to and from the site are exempt from this standard.

Page 7, Exhibit D, Section D, modify to state: **Interior Building Design.** The proposed indoor firearm shooting range must be properly designed, constructed, and equipped to contain all firearm ammunition within the building and/or tenant space.

Page 7, Exhibit D, Section E, modify to state: **Hours.** Indoor firearm shooting ranges shall be permitted to operate during the hours of ~~6:00~~ 7:00 a.m. to 10:00 p.m., unless otherwise approved through the Conditional Use Permit.



Page 7, Exhibit D, Insert Section G: **Public Safety**. As part of the Conditional Use Permit process, additional submittal and operational requirements may be imposed or added as conditions of approval as deemed necessary by the San Diego County Sheriff's Department.

Page 7, Exhibit D, Insert "Firearm Shooting Lane" Definition: **Firearm Shooting Lane**. A division of the firing line within a firearm shooting range intended to serve as a firing point for an individual shooter, provide a location for mounting individual targets, and offer a shelf for shooters to use. Firearm shooting lanes are typically separated with walls arranged perpendicular to the firing line designed to protect shooters from adjacent shooters by minimizing side blast interference and reducing the hazard of misdirected shots.

Page 7, Exhibit D, "Firearm Shooting Lane" Definition, modify to state: **~~Indoor~~ Firearm Shooting Range (Indoor)**. A completely enclosed facility designed to offer a controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation suitable for the range's approved use.



ATTACHMENT H
Negative Declaration 15-008

AGENDA ITEM NO. _____