

GOODING COUNTY PLANNING AND ZONING

November 7, 2016

The Commission met to deliberate on the application for special use permit filed by Houston Shaw for an addition to the existing shooting range. The following were present: Judy Stockham, Terry Ruby, Kathleen Goicocechea, Curtis Merrill, Miles Hales and Brendan Ash.

Chairman, Judy Stockham called the meeting to order at 7:01 p.m. on November 7, 2016. The minutes of the public hearing held October 24, 2016 were reviewed and approved.

Chairman Stockham clarified that testimony in opposition to the application which was heard on October 24, 2016 alluded to a misperception of the Gooding County Land Use and Zone Schedule from Chapter 5, Section 6 of Ordinance No. 104. The Agricultural Zone is abbreviated on the schedule as A, the Transitional Zones as T-1 or T-2, the Residential Zones as R-1 or R-2, the Commercial Zone as C, the Industrial Zone as I and the Recreational Zone as REC. The only zones in which a shooting range is prohibited are the Residential Zones designated by R-1 or R-2. She clarified that both the Recreational and the Agricultural Zoning Districts allow a shooting range with a special use permit.

Chairman Stockham thanked John and Houston Shaw for showing the Commission the Shaw Shooting Facility at the site visit October 27, 2016, explaining that no amount of maps, pictures or videos could have given a true sense of the project that the site visit allowed. The minutes were reviewed and incorporated into the record, as was the recording.

Idaho Code Title 55, Chapter 26, "Sport and Shooting Ranges," and Title 67 Chapter 91, "Idaho Outdoor Sport Shooting Range Act," were incorporated into the record. The OSHA Noise Guidelines, as provided by the Code of Federal Regulations (§ 1910.95 Occupational noise exposure, 29 C.F.R. § 1910.95), were incorporated into the record.

Commission Member Merrill asked for clarification regarding the parcel of land, number RP07A13E152855, for the application. Discussion ensued about the deliberations not involving existing Special Use Permit 180.

Chairman Stockham cited the provisions of Ordinance No. 104 to be used in the evaluation of the application, including Chapter 6, Section 2, Supplemental Provisions for Land Uses Requiring Permit or Certificates, specifically the Rifle and Pistol Range requirements. The Commission reviewed the facts and circumstances of the application for a special use for a proposed addition to the Shaw Shooting Range in terms of the standards enumerated in Chapter 7, Section 3B. Standards 1 through 10 were discussed and unanimously determined to be met, if two conditions were satisfied. The application was approved with the following conditions: 1) Applicant to add sound reduction barriers around the fixed firing ranges; 2) Applicant to increase vegetation on the berms surrounding the gully-type ranges. An evaluation of the Idaho Regulatory Takings Guidelines in light of the application was considered and incorporated into the record.

Meeting adjourned at 7:25 p.m.