

## **ORDINANCE NO. O-21-17**

**AN ORDINANCE OF THE CITY OF PALESTINE, TEXAS, AMENDING THE PALESTINE COMPREHENSIVE ZONING ORDINANCE BY PROVIDING CERTAIN ADDITIONS UNDER SECTIONS 3.3, 4.6 AND 15 THEREBY REGULATING THE PERMITTED LOCATIONS FOR INDOOR GUN RANGES AND PROVIDING A DEFINITION AND DEVELOPMENT STANDARDS; AND PROVIDING FOR A PENALTY AND A SAVINGS CLAUSE.**

**WHEREAS,** the State of Texas has granted its municipalities zoning powers for the purpose of promoting the public health, safety, morals, and general welfare; and

**WHEREAS,** the Planning and Zoning Commission did give public notice and did hold a public hearing regarding the proposed revisions and has recommended the amendments to the ordinance, and

**WHEREAS,** the City Council is of the opinion that the following ordinance should be adopted and that the same is in the public interest and necessary for the promotion of health, safety, morals, and general welfare.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PALESTINE, TEXAS:**

### **I.**

That Section 3.3 entitled "Uses Definitions", Section 4.6 entitled "Zoning Use Graphs" and Section 15 entitled "Special Provisions are amended as shown in the attached "Exhibit A".

### **II.**

All other laws, ordinances, or resolutions, or parts of the same, that are inconsistent with the provisions of this ordinance are hereby repealed to the extent of such inconsistency.

### **III.**

In the event any part of this ordinance is declared to be invalid or unconstitutional, such declaration shall not affect the remaining portions of the ordinance which shall remain in full force and effect as if the portion so declared invalid or unconstitutional was not originally a part of the ordinance.

**ORDINANCE NO. O-21-17**

**PASSED, APPROVED, and ADOPTED** by the City Council of the City of Palestine, Texas, at a regular meeting held on this the 12th day of June, 2017.

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STEVE PRESLEY  
MAYOR

ATTEST:

APPROVED AS TO FORM:

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THERESA HERRERA  
CITY SECRETARY

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RONALD D. STUTES  
CITY ATTORNEY

**EXHIBIT A**  
**Amendments to Appendix A, Zoning**  
**Indoor Gun Ranges**

1. Amend Section 3.3 Uses Definitions by adding a definition for indoor gun ranges.  
Indoor gun range: An indoor facility that is specially designed for the safe discharge of firearms (where the shooting and any projectile are intended to remain indoors), including target, silhouette, skeet, trap, black powder, or similar recreational and or professional shooting.
2. Amend Section 4.6, Zoning Use Graphs to include indoor gun ranges as a listed use and allowed by specific use permit in I-1, Light Industrial and I-2, General Industrial and prohibited in all other zoning districts.
3. Amend Section 15 Special Provisions by adding Section 15.19 pertaining to additional standards for indoor gun ranges as follows:

In addition to the requirements applicable within the districts where such uses are permitted, or those required through a Specific Use Permit granted within the City of Palestine corporate limits, the following requirements and regulations shall be complied with:

- The sale or consumption of alcohol on the premises of an indoor gun range is prohibited.
- No indoor gun range shall be located closer than 300-feet from a residential zoning district.
- The operator / owner of an indoor gun range shall provide casualty insurance coverage for any injuries to the public that are related to the use of the firearms.
- The loading or unloading of firearms on the premises of an indoor gun range outside the structure where the shooting takes place is prohibited.