



**PLANNING AND ZONING COMMISSION
MEETING MINUTES
MAY 4, 2017**

The Planning and Zoning Commission convened in a regular meeting on May 4, 2017 at 1:30 pm in the City Hall Council Chambers at 504 N. Queen Street , Palestine Texas.

Members Present: Chairman Dan Davis, Commissioners Edwina Miller, Bill Fraser, Richard Farris, Jr., Alex Nemer II, Mary Cox and Bob Snow

Staff Present: Jeffrey Lyons, Director of Development Services

CALL TO ORDER

Chairman Davis called the meeting to order at 1:33 p.m.

APPROVAL OF MINUTES

Commissioner Miller made a motion to approve the minutes of the March 16, 2017 meeting with the correction of showing Commissioner Snow to be absent and Commissioner Miller to be present, seconded by Commissioner Fraser. Upon vote, the motion carried unanimously.

PUBLIC HEARINGS / ITEMS FOR CONSIDERATION

Agenda Item #1. Case ZA-17-01.

Conduct a public hearing, discuss and consider an amendment to Appendix A, Zoning, by adding a definition for an indoor gun range and designating zoning districts for the use of an indoor gun range.

Chairman Davis opened the public hearing for those wishing to speak in favor of the amendment. Greg Laudadio, Assistant Economic Development Director spoke in favor of the request and stated that the Economic Development Corporation was working with a potential client who was interested in constructing a new indoor gun range. Mr. Laudadio described the operation and construction of the proposed gun range. No one spoke in opposition to the request. The public hearing was closed.

The Commission discussed the zoning ordinance amendment.

Chairman Snow asked how the Business Park was zoned. Development Services Director, Jeffrey Lyons stated that properties on the west side of Willow Creek Drive were zoned industrial and properties on the east side of Willow Creek Drive were zoned Commercial. Chairman Davis asked what the square footage of the new gun range would be. Mr. Laudadio stated that it would be around 8,000 square feet with 18 total shooting lanes and retail space. Commissioner Farris stated that the purpose for the item was to add a definition for an indoor gun range and where the use of a gun range was appropriate.

Chairman Davis asked Staff for a summary of the zoning amendment. Mr. Lyons discussed the staff report and stated that upon researching other city's ordinances, indoor gun ranges were allowed by right or by specific use permit in industrial zoning districts and by specific use permit in commercial zones. Mr. Lyons also discussed the building code requirements pertaining to gun ranges. Mr. Laudadio stated that all safety requirements would be integrated into the engineered plans.

Commissioner Fraser asked if there was a disposal process for the spent ammunition. Mr. Laudadio stated that he was not sure of the specifics of the disposal process. Commissioner Snow asked if it would be appropriate to allow indoor gun ranges in all industrial zones. Mr. Lyons recommended to require a specific use permit for indoor gun ranges which would allow the Commission to review each individual request. The Commissioners reviewed the zoning map, discussed potential locations including the proximity to residential zoned properties and discussed other indoor gun ranges that were in operation in nearby cities. Commissioner Nemer stated that any proposed regulations for indoor gun ranges should not conflict with Federal regulations. Commissioner Miller asked how outdoor shooting ranges were regulated. Building Official Mark Miears stated that if an outdoor gun range was located outside of the city limits of a municipality, it would not be subject to city regulations.

Mr. Lyons gave a staff recommendation for regulating indoor gun range as follows:

1. Define indoor gun ranges as an indoor facility that is specially designed for the safe discharge of firearms, including target, silhouette, skeet, trap, black powder, or similar recreational and or professional shooting.
2. Allow the use of an indoor gun range by specific use permit in the C-4, Highway Commercial, I-1, Light Industrial, I-2, General Industrial zoning districts.

In addition to the above amendments related to indoor gun ranges, Mr. Lyons state that the Commission could consider adding the following special provisions that would apply to an indoor gun range in addition to approval of the specific use permit as follows:

1. Prohibiting the sale of alcohol on the premises of an indoor gun range,
2. Limiting the hours of operation,
3. Prohibiting any indoor gun range from being located closer than 300-feet to a residential zoning district.
4. Requiring that the operator provide a minimum amount of insurance coverage for any injuries to the public that are related to the use of the firearms.
5. Prohibiting the loading or unloading of guns outside of the facility. (Recommended to be added by the Chief of Police.)

Commissioner Farris made a motion to allow indoor gun ranges by right in the industrial districts, by specific use permit in commercial districts and include special provisions 1, 3, 4 and 5 per Staff recommendation. The motion was seconded by Commissioner Fraser. Chairman Davis called for any further discussion on the motion. Commissioner Snow stated that a specific use permit should be required for an indoor gun range in the Industrial Districts. Commissioners Nemer and Miller also stated that a specific use permit should be required in the Industrial Districts.

The following votes were cast:

Ayes: Farris, Cox, Fraser.

Nays: Nemer, Snow, Miller, Davis.

The motion failed.

Chairman Davis called for further discussion on the item. Commissioner Miller and Snow stated that hours of operation should not be determined by the city.

Commissioner Snow made a motion to accept the staff recommendation with the exception of limiting the hours of operation, seconded by Commissioner Cox, the following votes were cast:

Ayes: Snow, Cox, Nemer, Miller, Fraser.

Nays: Farris, Davis.

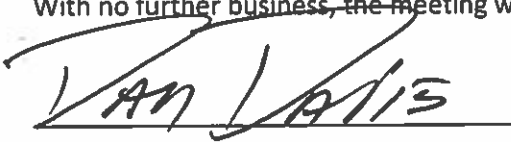
The motion carried.

COMMISSION COMMENTS AND FUTURE AGENDA ITEMS

Staff updated the Commission on current and proposed development projects and the status of the zoning ordinance update.

ADJOURN

With no further business, the meeting was adjourned at 2:52 p.m.

A handwritten signature in black ink that reads "DAN DAVIS" in all caps, written over a horizontal line.

Dan Davis, Chairman

A handwritten signature in black ink, appearing to read "J. Lyons", written over a horizontal line.

Attest:
Jeffrey Lyons
Development Services Director