

A RESOLUTION AMENDING SECTIONS 1103.03, 1159.03, AND 1173.15 OF THE VILLAGE OF RICHFIELD'S PLANNING AND ZONING CODE TO MAKE INDOOR SHOOTING RANGE A CONDITIONALLY PERMITTED USE IN THE INDUSTRIAL ZONING DISTRICT

WHEREAS, on April 8, 2018, this Council referred proposed amendments to Sections 1159.03 and 1103.03 of the Richfield Planning and Zoning Code, which intended to provide for commercial indoor firing shooting range as a conditionally permitted use in the Industrial Zoning District, to the Planning and Zoning Commission for report and recommendation pursuant to Section 9.06 of the Charter and Section 1109.07 of the Richfield Codified Ordinances; and

WHEREAS, on May 8, 2018, Planning Commission held an informal hearing on the proposed amendments pursuant to Section 1109.09(a) of the Richfield Codified Ordinances; and

WHEREAS, on May 9, 2018, following the Commission's action at its meeting on May 8, 2018, Village Council received a favorable report and unanimous recommendation from the Planning and Zoning Commission to amend Sections 1103.03, 1159.03, and 1173.15 of the Planning and Zoning Code and also received the Planning and Zoning Commission's recommendation to add conditions and make additional changes to the proposed amendments; and

WHEREAS, on June 19, 2018, this Council held a public hearing on the proposed zoning code amendments pursuant to Section 1109.11(a) of the Richfield Codified Ordinances; and

WHEREAS, based upon the report and recommendation of the Planning Commission, this Council has determined that it is in the best interest of the health, safety, and welfare of the Village to amend Sections 1103.03, 1159.03, and 1173.15 as described in the report and recommendation of the Planning and Zoning Commission.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That Section 1103.03 of the Village's Planning and Zoning Code be amended as follows:

"1103.03 GENERAL TERMS

(a) Definitions used in this Zoning Code:

* * *

(86) Shooting range, indoor means a facility operated for the purpose of shooting with firearms or archery equipment, whether publicly or privately owned and whether or

not operated for profit. "Shooting range" does not include a facility owned or operated by a municipal corporation, county, township police district, or joint police district.

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SECTION 2. That Section 1103.03(a) shall be renumbered accordingly.

SECTION 3. That Section 1159.03 of the Village's Planning and Zoning Code be amended as follows:

"1159.03 USES.

* * *

(b) Conditionally Permitted Uses. The Commission may approve the following uses if the Commission determines the use is consistent with the purpose of this District and meets the requirements of this Chapter. The Commission may seek expert advice on what limitations should be imposed on the particular operation to reasonably modify any injurious or offensive effects likely to result from such an operation. The cost of such expert assistance shall be borne by the applicant. A list of suggested uses follows:

* * *

(13) Indoor shooting range subject to Section 1173.15 (b) (14).

* * *

SECTION 4. That Section 1173.15 of the Village's Planning and Zoning Code be amended as follows:

"1173.15 REGULATIONS PERTAINING TO CONDITIONALLY PERMITTED USES IN INDUSTRIAL DISTRICTS.

(a) Regulations in this section pertain only to those suggested conditionally permitted uses as specifically referenced. The regulations are listed in this section for ease of reference and to avoid duplication as they may apply to more than one use.

(b) During review of a permit application, the Commission may incorporate the regulations listed in this section that it determines appropriate for the proposed use:

* * *

(14) Shooting range (indoor) subject to the following:

- A. The proposed use shall not generate excessive noise beyond the premises. Planning Commission may require noise reduction measures to assure that the level of noise is no more than the prevailing noise levels of permitted uses

in the District. Acceptable levels of noise or sound can be found in the most recent edition of "The NRA Range Source Book."

- B. Buildings in which indoor shooting ranges are provided shall be located a minimum of 200 feet from an adjacent residential structure or be oriented to sufficiently direct sound away from an adjacent residential district.
- C. The hours of operation may be limited by the Commission but in no case shall such uses operate any earlier than 7AM and no later than 11PM.
- D. A readable sign subject to the Village's sign regulations shall be displayed at the main entrance identifying the establishment as an indoor shooting range.
- E. A safety plan shall be submitted to the Commission and conditioned with any approved application. At a minimum, the safety plan must include gun handling rules, general and specific range rules, and administrative rules and regulations. Approved firearms safety rules shall be prominently displayed in the shooting area and range personnel must be responsible for enforcing the rules.
- F. The shooting range shall comply with all applicable federal and state rules and regulations. Moreover, the use and building shall conform with all applicable Ohio Environmental Protection Agency and OSHA standards for indoor ventilation, emissions into the atmosphere, indoor sound levels, lead containment and outside noise standards.
- G. The design and construction of the shooting range shall completely confine all fired projectiles within the building and in a controlled manner.
- H. The design of the shooting range shall be certified by a professional engineer and/or architect registered in the state. The certified plans shall include the specifications and construction of the bullet traps, ceilings, exterior and interior walls, and floors. The certified plans shall state what type and caliber of ammunition the range is designed to completely confine. No ammunition shall be used in the range that exceeds the certified design and construction specifications of the firing range.
- I. If retail sale and repair of weapons and/or ammunition is conducted on the premises, the management shall comply with all licensing and operations requirements of the Federal Bureau of Alcohol, Tobacco, and Firearms. Retail sales of weapons, ammunition and food/drinks shall not exceed 10% of the gross floor area dedicated to the indoor shooting range use.
- J. The permittee shall be required to carry a minimum of \$1,000,000 of liability insurance. Such insurance shall name the Village of Richfield as an additional insured party and shall save and hold Richfield Village, its elected

and appointed officials, and employees acting within the scope of their duties harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage or personal injury arising out of the acts or omissions of the permittee, his/her group, club, or its agents or representatives. The range owner shall provide a copy of the certificate of insurance yearly to the Planning and Zoning Department and notify the Village Finance Director and Mayor in writing of any policy changes or lapses in coverage.

- K. The Planning Commission and Village Council reserve the right to review or modify the performance standards for the shooting range.
- L. Any violation of these regulations for an approved permit shall constitute a nuisance and as such a blighting condition on the property and/or the surrounding neighborhood. Any violation of these standards may result in the conditional zoning approval being revoked after a hearing by the Planning Commission.
- M. Outdoor lighting, off-street parking and landscaping shall comply with all applicable Village ordinances.
- N. A site plan illustrating compliance with the standards shall be provided to the Village in connection with a conditional use permit application. The site plan shall be drawn to an acceptable scale such as one-inch equals 50 feet.”

SECTION 5. That Existing Section 1103.03, Section 1159.03, and Section 1173.15 of the Planning and Zoning Code of the Codified Ordinances of the Village are hereby repealed.

SECTION 6. That all other provisions of Chapters 1103, 1159, and 1173 of the Planning and Zoning Code of the Codified Ordinances of the Village, not amended herein, shall remain in full force and effect as they existed prior to the effective date of this Ordinance.

SECTION 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 8. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: June 26, 2018



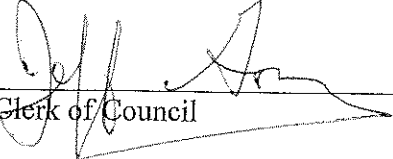
President of Council



Mayor

Dated: 6-26-18

ATTEST:



Clerk of Council

