

ORDINANCE NO. 2018-037-PZ

AN ORDINANCE TO AMEND CERTAIN SECTIONS OF TRUSSVILLE ZONING ORDINANCE 2000-034-PZ, CODIFIED AS ARTICLE VI OF APPENDIX A OF THE CITY OF TRUSSVILLE CODE OF ORDINANCES CREATING A NEW ZONING CLASSIFICATION, TO BE NAMED C-6, FOR INDOOR FIRING RANGES, COMPETITIVE RACE FACILITIES, AND OTHER PERMITTED USES.

WHEREAS, the City of Trussville, Alabama, has experienced a substantial increase in population density in areas proximate to indoor shooting and other uses that by their nature give off noise; and

WHEREAS, the City of Trussville, Alabama, maintains an interest in ensuring the compatibility of indoor shooting ranges and other uses that emit noise in the operation of their business with their surroundings, particularly around residential areas, to minimize noise impacts and potential safety hazards created by these operations; and

WHEREAS, under Ala. Code § 11-45-1 (1975) the City is authorized to enact ordinances to protect the health, safety, and welfare of its citizens.

NOW THEREFORE, be it ordained by the City Council of the City of Trussville, Alabama, that Article VI of Appendix A, which encompasses Ordinance 2000-034-PZ containing the Zoning Regulations of the Code of Ordinances of the City of Trussville, Alabama, be amended to create a new zoning classification to be appropriately codified under Article VI of Appendix A and to amend sections of Article V, to other sections of this same Article VI, and to the Appendix to the Zoning Ordinance and states the following:

SECTION 1. Amend Article V – Definitions, to add or modify the following definitions:

Article V, Section 3. – Definitions

Competitive Race Facility: Any course, facility, or track, paved or unpaved, upon which racing or timed events are conducted with motor vehicles with at least two (2) wheels and operating internal combustion engines. The term “Go Cart” is included as a competitive race facility

Firearm: A weapon, including pistols, rifles, and shotguns, capable of firing a projectile using an explosive charge as a propellant.

Firing line or lane: A line parallel to a target from which firearms or arrows are discharged.

Person: Any association, club, corporation, firm, individual, or partnership.

Safety fan/backstop: An area on a shooting range facility designed to contain all projectiles fired from a shooting range.

Shooting range (Range): An area designed and improved to encompass shooting stations or firing lines, target areas, baffles, and other related components that is located either above or below ground.

Shooting range facility: A public or private facility, including individual shooting ranges, safety fans or, structures, parking areas, and other associated improvements, designed for the purpose of providing a place for the discharge of various types of firearms that is located either above or below ground.

Shooting station: A fixed point from which firearms are discharged.

Structure: Anything constructed or erected with a fixed location on the ground or below the ground or attached to something having a fixed location on the ground. All buildings are structures, but not all structures are buildings.

SECTION 2. Amend Article VI, Section 6.0 C-3 Tourist Commercial District as follows:

6.2 Uses Permitted. Those uses listed under "uses permitted" in the CP, C-1, and C-2 Districts, plus:

- Factory outlet stores
- Golf course
- Indoor or Outdoor, amusements and recreation facilities, such as: athletic fields, carpet golf, driving ranges, par-3, batting cages, water slides, skating rink, health clubs, etc., that have low noise impacts
- Lounge/Bar
- Minor and Major vehicle repair (enclosed), excluding body work
- Theater, indoor or outdoor
- Truck stop
- Public utility service
- Other similar uses may be permitted subject to the provisions of Article IV, Sections 6.0 and 7.0, page 8.

SECTION 3. Amend Article VI, by adding Section 8A.0 C-6 Commercial District for Uses with Potential Significant Noise Impacts as follows:

Section 8A.0 C-6 Commercial District with Potential Significant Noise Impacts

8A.1. Intent

To provide suitable areas of commercial development for the establishment and operation of facilities with potential significant noise impacts and safety concerns that affects both adjoining and nearby properties.

8A.2. Permitted Uses

- Amusement Parks
- “Go Cart” Track or Facility
- Gun Firing Range (indoor or underground)
- Competitive Race Facilities
- Any establishment, facility, or operation, not presently zoned, in which loud or objectionable noise shall be a primary byproduct of the business.

8A.3. Performance Standards.

The following performance standards shall apply to all uses to the extent applicable:

- A. Any “Use Permitted” facility under this Ordinance shall not be located within Five Hundred (500) feet of a residentially zoned boundary. The Five Hundred (500) foot setback from residentially zoned property shall include a One Hundred (100) foot planted buffer measured from the adjoining property line toward the facility that is maintained in a state consistent with section 7.0 through section 7.4 of Article VII of Appendix A of the Code of Ordinances of the City of Trussville, Alabama.
- B. No facility shall be located less than one thousand (1000) feet of a school, church, or child care facility and shall comply with all setback and buffer requirements of this ordinance.
- C. Noise mitigation. Facilities shall not consistently emit sounds greater than permitted under Article II of Chapter 38 the Code of Ordinances of the City of Trussville, Alabama.
- D. It is further recommended that all facilities built and/or operated upon property zoned under this classification shall comply with any and all best practices and procedures for limiting sound emissions, which may include but is not limited to, best practices for construction, renovation, and/or remodeling the structure; venting or other HVAC system installation and control; and lead containment systems, or appropriate sound buffering methods for outdoor permitted uses.

8A.4. Special Regulations For Indoor Shooting Ranges

- A. Shooting range facilities shall be designed to contain all of the bullets, shot, or any other debris on the range facility based upon engineer design criteria and limitations. See Appendix h.
- B. All Indoor ranges shall comply with all current federal, state, and local laws, regulations, rules, and requirements.

C. Fully Automatic firearms are prohibited. Firearm caliber use shall be limited to the provided facility design engineered criteria.

D. Noise levels measured at the property line where the facility is maintained shall not be audible, i.e., the sound of a firearm discharge or the sound of bullet impact shall not be audible.

E. Indoor shooting range facilities shall be designed to address any lead discharges, and such emissions shall be channeled into an appropriate HVAC system designed to eliminate lead particles from release into the atmosphere outside the property.

F. Hours of operation. Shooting ranges shall be permitted to conduct live indoor target shooting between the hours of 9:00AM until 9:00PM.

8A.5. Development Requirements

8A.5.1 Setbacks

Front	Rear or Side abutting Residential	Rear or Side abutting Non-residential	Rear or Side abutting Church, School, Childcare
35'	500'	200'	1,000'

8A.5.2 Expansion or any modification requiring the issuance of a building permit of an existing building or use must meet all standards of this ordinance, including required setbacks as stated herein, and have final approval of the Building Inspection Official and Fire Inspector.

8A.6. Operational Requirements.

A. All uses shall comply with sounds emissions from the property as provided in Article II of Chapter 38 of the Code of Ordinances of the City of Trussville, Alabama, or if governed by federal or state law.

B. Permitting, registration, and compliance. These zoning requirements shall not be deemed all inclusive. In addition to these requirements, a person or entity seeking to operate a business on the property zoned under this classification shall comply with all building code and business license requirements as provided in the Code of Ordinances of the City of Trussville in addition to the noise nuisance requirements under Article II of Chapter 38, except where prohibited by federal or state law

C. Certification of Applicant. At the time of application, the applicant seeking approval under this classification shall certify compliance with the zoning requirements contained herein as well as certifying the applicant will take all necessary action that is practical to minimize sound emissions from the property.

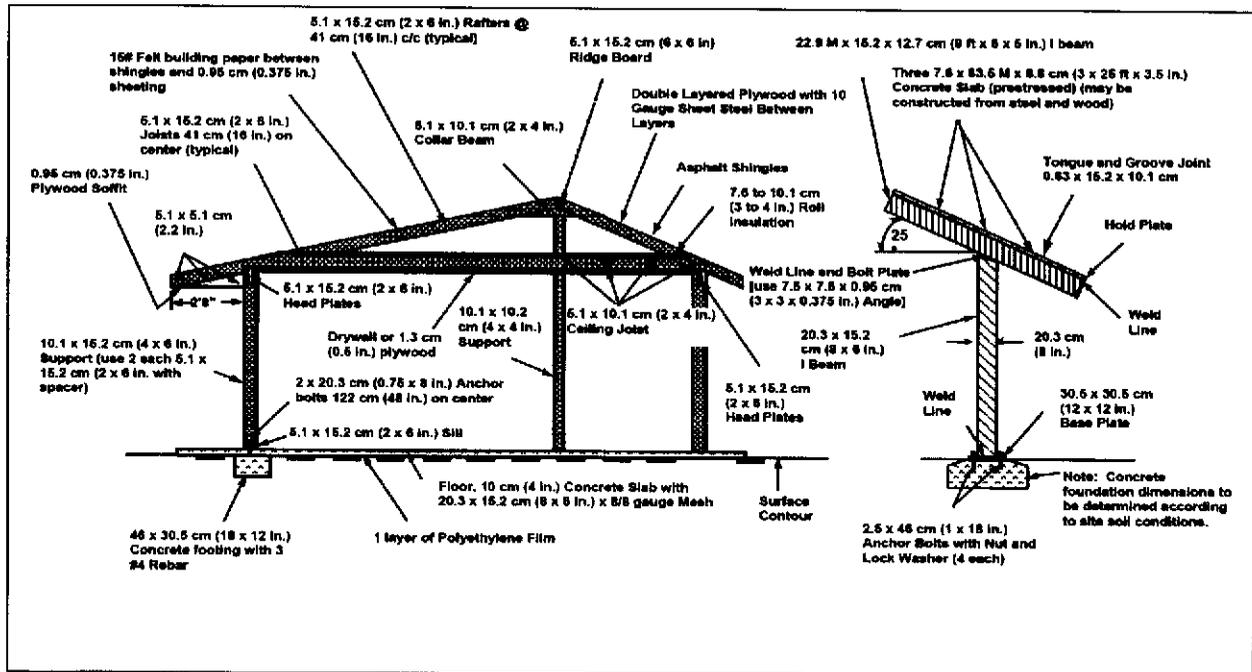
Section 4. Amend Appendix to the Zoning Ordinance, as follows:

APPENDIX

Set out in this section are pictorial examples of terms and configurations cited in this ordinance. Included are:

- a. Lots - Determining types of lots
- b. Setback line (front) - Determining front set back lines on various types of lots
- c. Yards - Determining front, rear, and side yards on various types of lots
- d. Sight triangle
- e. Signs - Types of signs (general and specific)
- f. Fences
- g. Cahaba River setback zones
- h. USDOE Shooting Range Building Design Example
- i. Comparison of Trussville Zoning Classifications to County Classifications

Appendix h.



USDOE Shooting Range Building Design - Example

Section 5. Violations.

Any violation of this Ordinance shall be prosecuted as provided in Article IV of Appendix A of the Code of Ordinances of the City of Trussville, Alabama.

Section 6. Enactment Provisions.

- A. If any provision of this Ordinance or its application to any person or circumstance is held invalid or unconstitutional, the remainder of the ordinance or its application to other persons or circumstances shall not be affected.
- B. Should any provision of this Ordinance be in conflict with federal or state law, the federal or state law in question shall preempt this Ordinance.
- C. Any provisions contained within Appendix A of the Code of Ordinances of the City of Trussville in conflict with this Ordinance are hereby repealed.
- D. This Ordinance shall take effect upon passage, approval, and publication as prescribed by law.

Adopted and Approved this the 11th day of December, 2018.

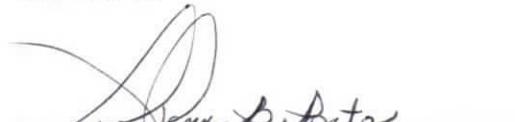


**JEF FREEMAN
COUNCIL PRESIDENT**



**BUDDY CHOAT
MAYOR**

ATTEST:


LYNN PORTER, CITY CLERK