

ORDER
STANDISH TOWN COUNCIL

DATE: March 7, 2023
ORDER NUMBER: 14-23

SUBMITTED BY: Macri

TITLE: A RETROACTIVE ORDINANCE TO AMEND CHAPTER 181 (LAND USE), ARTICLE II (DEFINITIONS) AND ARTICLE III (DISTRICT REGULATIONS) OF THE TOWN CODE TO PROHIBIT OUTDOOR GUN RANGES WITHIN THE TOWN OF STANDISH

Note: Proposed additions to Existing Code are underlined. Proposed deletions are ~~crossed-out~~. Other sections of the Town Code remain unchanged.

The Town of Standish hereby ordains and enacts "A Retroactive Ordinance to Amend Chapter 181 (Land Use), Article II (Definitions) and Article III (District Regulations) of the Town Code to Prohibit Outdoor Gun Ranges Within the Town of Standish" to read as follows:

AMENDMENT

CHAPTER 181 – LAND USE

PART 1 – ZONING

ARTICLE II

DEFINITIONS

INDOOR SHOOTING RAN FACILITY

An area that is designed for, and intended to, provide a location for the discharge of various types of firearms, including but not limited to handguns, rifles, shotguns, and black powder weapons, and where shooting stations, firing lines and/or lanes, target areas, and all other related components of the shooting range are fully and entirely enclosed within a structure or building. The definition of Indoor Shooting Range Facility shall exclude "Private clubs", "Commercial Recreation", and "Social Events Centers."

OUTDOOR SHOOTING RANGE FACILITY

An area that is designed for, and intended to, provide a location for the discharge of various types of firearms, including but not limited to handguns, rifles, shotguns, and black powder weapons, and where shooting stations, firing lines and/or lanes, target areas, and all other related components of the shooting range are not fully and entirely enclosed within a structure or building. The definition of Outdoor Shooting Range Facility shall exclude "Private clubs", "Commercial Recreation", and "Social Events Centers."

AMENDMENT

CHAPTER 181 – LAND USE

PART 1 – ZONING

ARTICLE III

DISTRICT REGULATIONS

§ 181-13 District boundaries and Regulations Applying Within All Land Use Districts

District boundaries shown within the lines of roads, streams and transportation rights-of-way shall be deemed to follow the center lines. The abandonment and nonuse of roads shall not affect the location of such district boundaries. When the Code Enforcement Officer cannot definitely determine the location of such district boundary, he shall refuse action, and the Board of Appeals, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purposes set forth in all relevant provisions of this Part 1. If a district boundary divides a lot, the provisions of the least restrictive district may apply for a distance of up to 50 feet into the more restrictive district.

§ 181-13.1 Outdoor Shooting Range Facilities

- A. Prohibition. Outdoor Shooting Range Facilities are prohibited within each of the land use districts identified in §181-4 through 181-10 of this Chapter.
- B. This section does not prohibit Indoor Shooting Range Facilities if otherwise allowed as a permitted use within a land use district.
- C. Retroactivity. Except as limited or prohibited by 30-A M.R.S § 3007(6), and notwithstanding the provisions of 1 M.R.S § 302 or any other law to the contrary, this section shall govern and apply to any and all proceedings and applications pending before any Town board, council, committee, official or political subdivision for approval of an Outdoor Shooting Range Facility, or any use that resembles an Outdoor Shooting Range Facility, that were filed with the Town prior to January 1, 2021, or, that were or are pending before any Town board, council, committee, official, or political subdivision on or at any time after January 1, 2021.
- D. Effective Date. § 181-13.1 shall become effective in accordance with section 211 of the Town Charter.

APPROVED _____ DISAPPROVED _____

ROLL CALL YEA NAY ABSTAIN

BUTLER _____
 GABA _____
 LECLERC _____
 LIBBY _____
 MACRI _____
 PAUL _____
 WATSON _____

TOWN COUNCIL CHAIR _____

CLERK/SECRETARY _____

Introduction – 3/7/2023
 Planning Board Public Hearing – 4/3/2023
 First Reading – 4/11/2023
 Public Hearing – 5/9/2023