

Firearm Business Zoning Amendment

Zoning and Planning Committee &
Planning and Development Board

May 13, 2021

Planning & Development Department

Public Hearing Follow Up

- Review of Recommended Option
- Key elements of proposed ordinance
- Sensitive uses outside of Newton's borders

Summary

- Proposed ordinance is the most robust and restrictive of all the firearm ordinances reviewed
- Giffords Law Center to Prevent Gun Violence, a leading national advocate against gun violence, is supportive of the approach
- Citywide zoning analysis is just one aspect, any proposal for a firearm business would undergo a thorough site-specific review and public hearing as part of the Special Permit process
- Special Permit is a discretionary process, and the City Council must be able to find the proposal meets certain criteria to in order to approve

Recommended Alternative

- BU2, BU4 and M districts
- 1,000-foot buffer from schools, colleges and universities, childcare uses, religious uses, parks, playgrounds, libraries, hospitals, and nursing homes
- 150-foot buffer from residential uses

Proposed Firearm Business Zoning – Alternative 5 (Planning Department Recommendation) City of Newton, Massachusetts

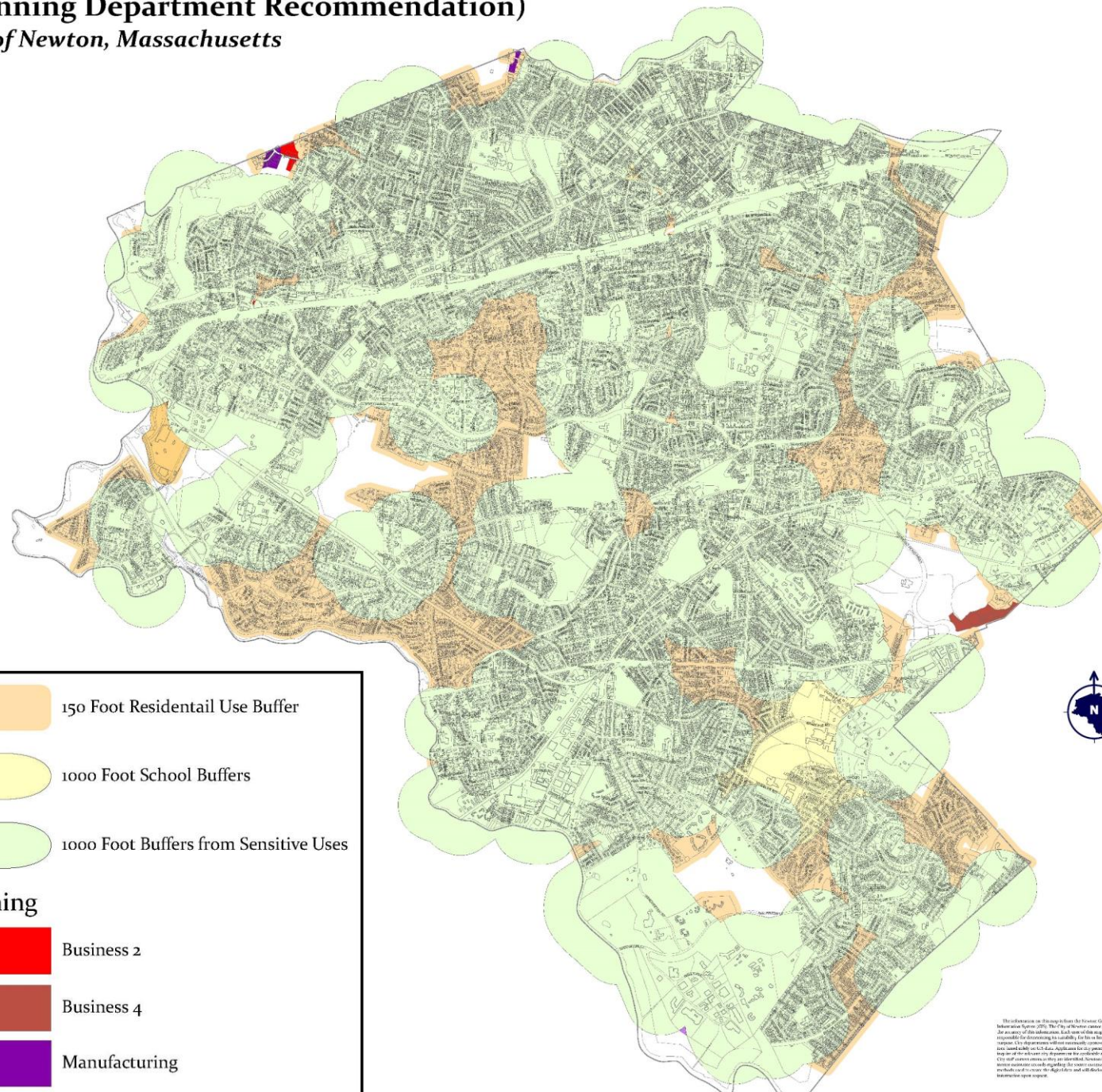
Firearm Zoning & Buffer Recommendation

BU2, BU4 & M districts

150-foot Residential Buffers

1,000-foot Buffer for schools, all
childcare uses, colleges and
universities, parks and playgrounds,
libraries, hospitals, nursing homes

Does not include marijuana or liquor



This information is for informational purposes only. It is not intended to be used as a legal document. The City of Newton reserves the right to change the information at any time without notice. The City of Newton is not responsible for any errors or omissions in this information. The City of Newton is not liable for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this information. The City of Newton is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this information. The City of Newton is not responsible for any damages, including but not limited to, direct, indirect, or consequential damages, arising from the use of this information.

Proposed Firearm Business Zoning – Alternative 5 (Planning Department Recommendation)

City of Newton, Massachusetts

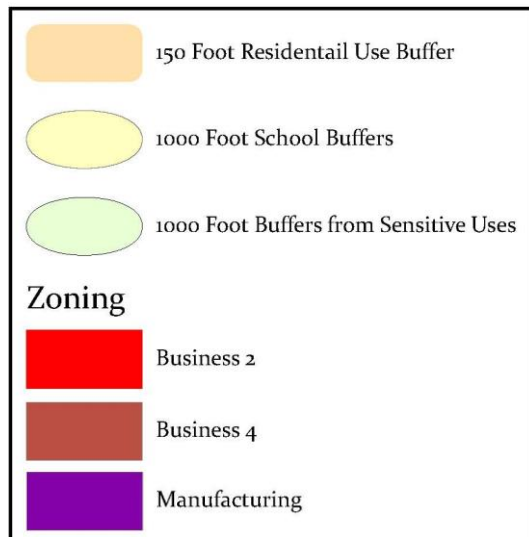
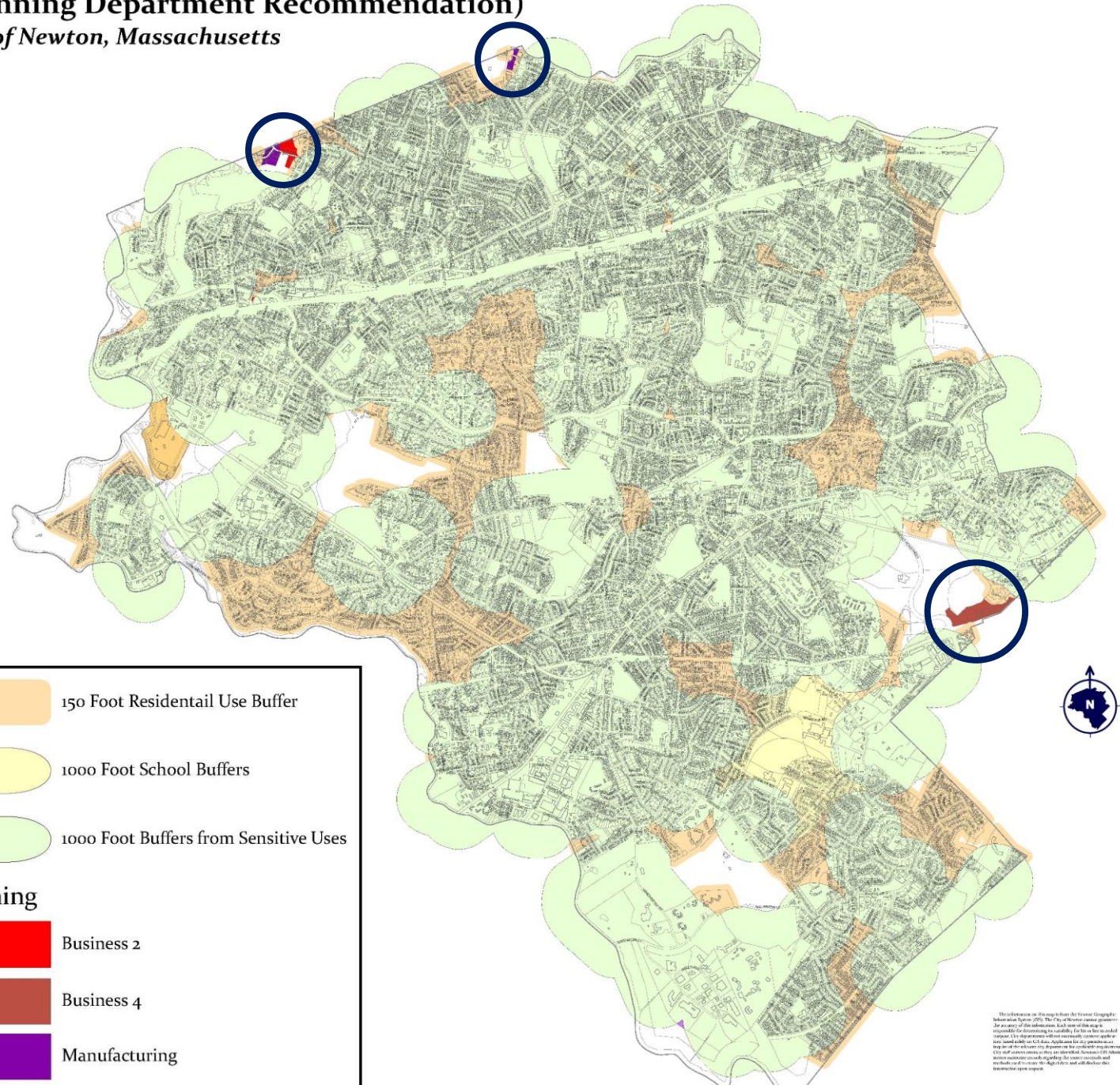
Firearm Zoning & Buffer Recommendation

BU2, BU4 & M districts

150-foot Residential Buffers

1,000-foot Buffer for schools, all childcare uses, colleges and universities, parks and playgrounds, libraries, hospitals, nursing homes

Does not include marijuana or liquor



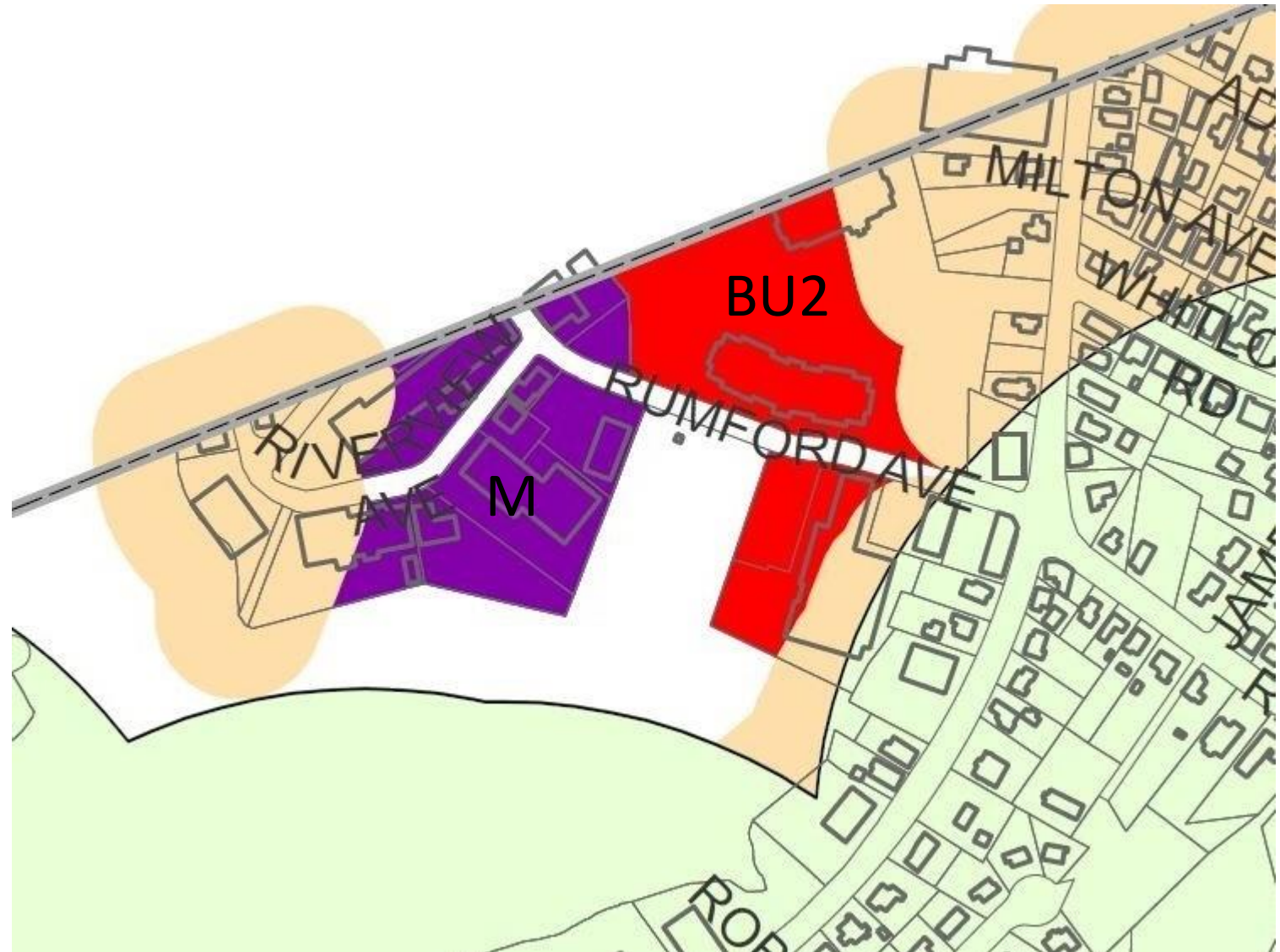
The information on this map is derived from the latest Geographic Information System (GIS) data. The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for their intended purpose. The information on this map is not intended to be used as a substitute for professional advice. The City of Newton is not responsible for any errors or omissions on this map. The City of Newton is not responsible for any damages or losses resulting from the use of this map.

Firearm Zoning & Buffer Recommendation

150-foot Residential Buffers

1,000-foot Buffer for schools, all childcare uses, colleges and universities, parks and playgrounds, libraries, hospitals, nursing homes

Does not include marijuana or liquor



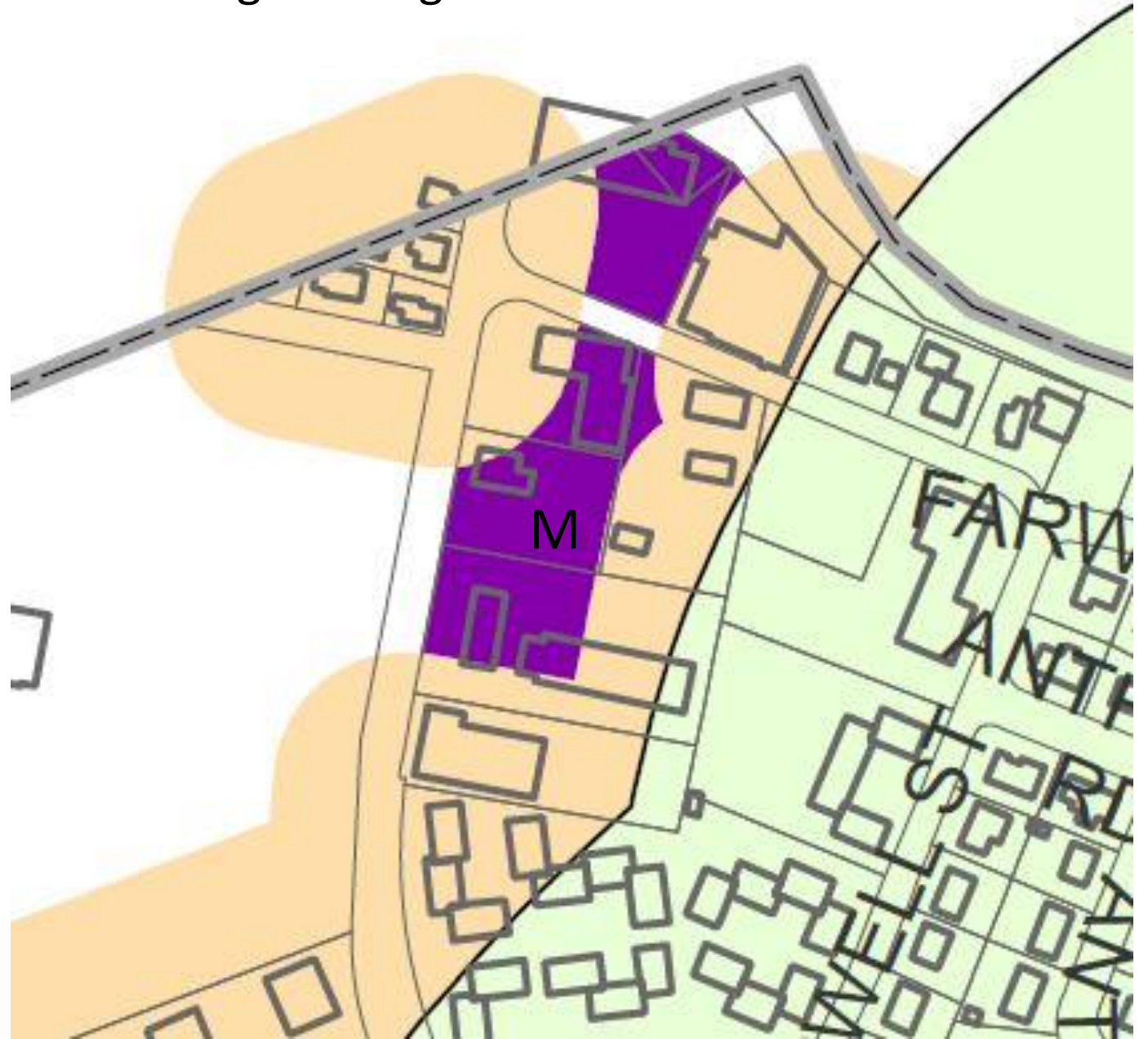
Firearm Zoning & Buffer Recommendation

150-foot Residential Buffers

1,000-foot Buffer for schools, all childcare uses, colleges and universities, parks and playgrounds, libraries, hospitals, nursing homes

Does not include marijuana or liquor

No existing buildings outside of buffers

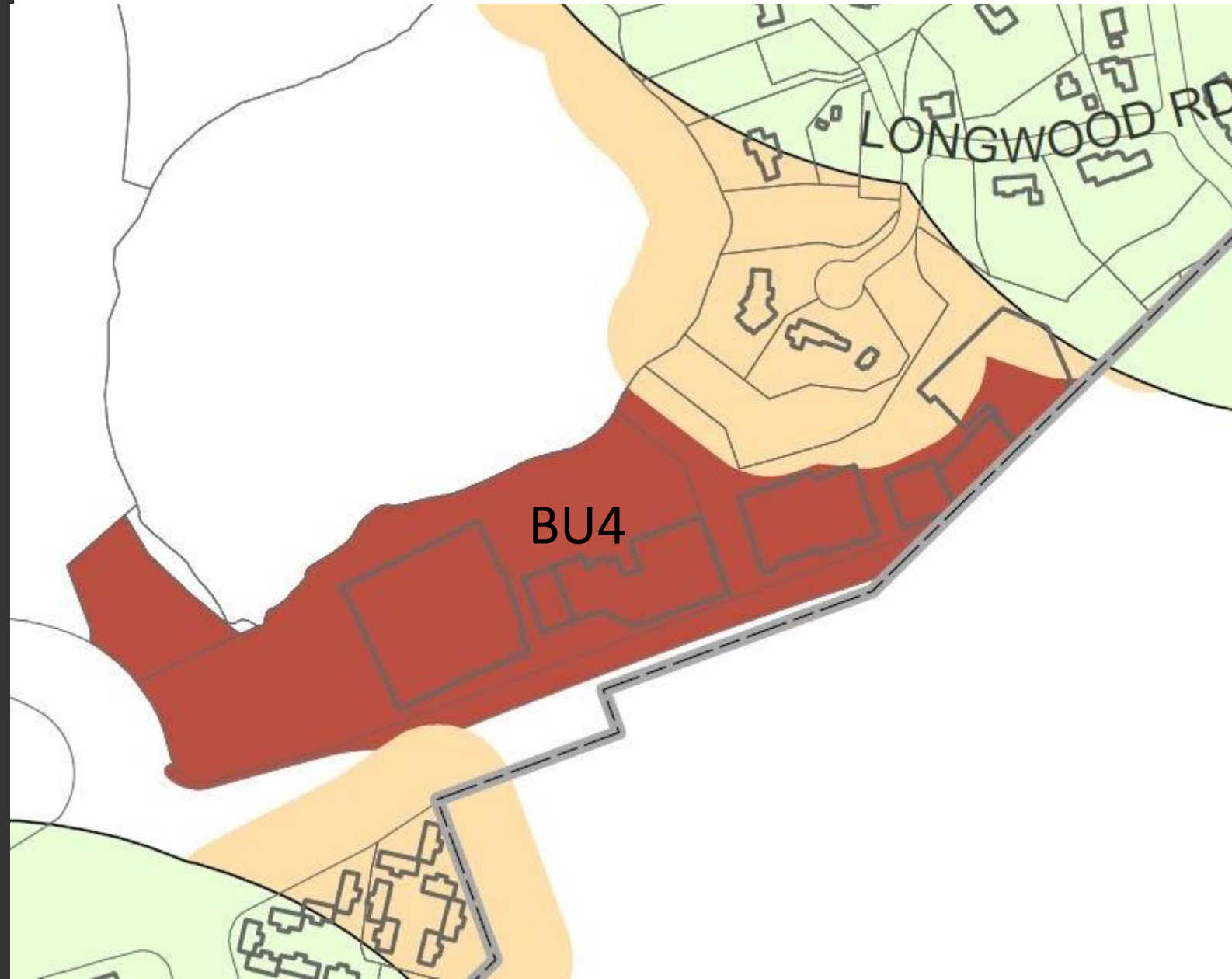


Firearm Zoning & Buffer Recommendation

150-foot Residential Buffers

1,000-foot Buffer for schools, all childcare uses, colleges and universities, parks and playgrounds, libraries, hospitals, nursing homes

Does not include marijuana or liquor



Special Permit Review

- Additional application requirements
- Standards
- Criteria for Approval

Special Permit Application

In addition to standard requirements, applications must include:

- Description of activities
- Lighting analysis
- Context map showing all properties and land uses within 1,000' radius
- Description of ownership, management, and employees
- Comprehensive Signage Plan

Additional materials may be required dependent upon the nature of the application or location

Proposed Standards

Must be met by all firearm businesses:

- No firearm or accessory images or graphics visible from the exterior
- City Council review and approval of signage (size, type, location)
- City Council may restrict hours of operation
- NPD must review and approve security and operations and management plans
- Require background checks on employees
- Limit minors from entering store
- Require video of firearm sales

Special Permit Criteria

The City Council must find that the proposed firearm business meets all criteria in order to approve

- The specific site is an appropriate location for such use, structure;
- The use as developed and operated will not adversely affect the neighborhood;
- There will be no nuisance or serious hazard to vehicles or pedestrians; and
- Access to the site over streets is appropriate for the types and numbers of vehicles involved
- *The location and operating characteristics of the proposed use promotes and, will not be detrimental to, the public health, safety and welfare of the neighborhood and the City.*
- The location will have adequate and safe storage, security, and a lighting system;
- The lot is designed such that it provides convenient, safe and secure access and egress for clients and employees arriving to and leaving from the lot;
- Loading, refuse, and service areas are designed to be secure and shielded from abutting uses;
- The firearm business is designed to minimize any adverse impacts on abutters; and
- The firearms business has satisfied all of the conditions and requirements of this ordinance.
- The firing range use will not result in adverse impacts due to noise, hazardous materials, or air quality.

Sensitive Uses outside of Newton's Borders

- The proposed ordinance only requires a buffer from sensitive uses located within Newton
- Neighboring communities do not have firearm zoning regulations
- Special permit analysis can take into consideration specific nearby uses when determining if the site is an appropriate location
- Extending buffer requirement to uses outside of Newton would necessitate reducing buffer distances within Newton

Proposed Firearm Business Zoning – Alternative 1

City of Newton, Massachusetts

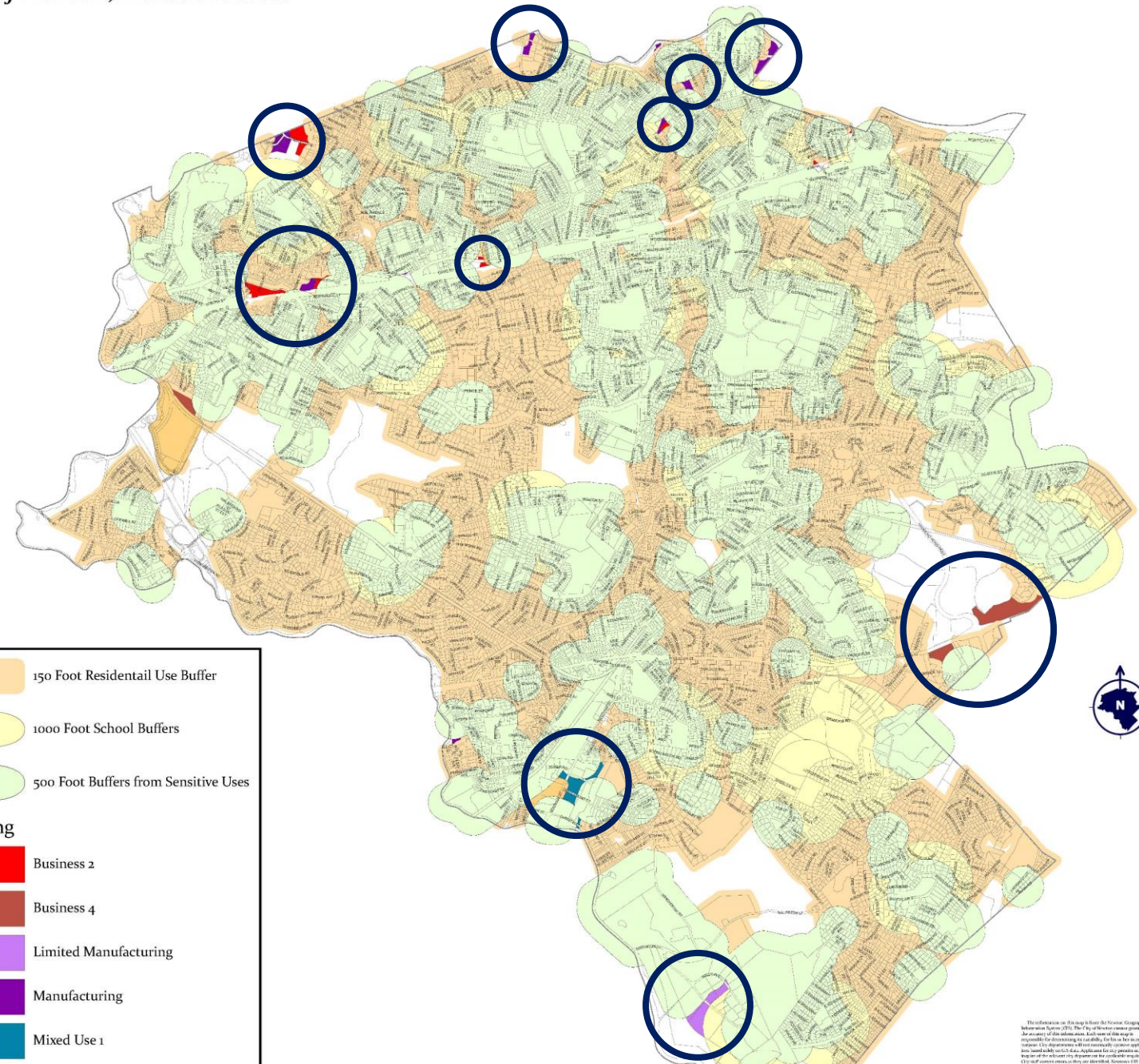
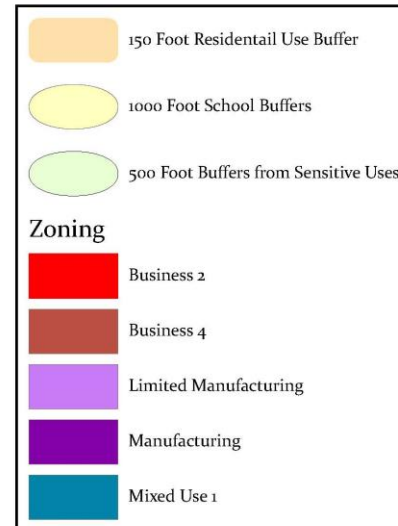
Firearm Zoning Alternative 1

BU2, BU4, LM, M, MU1 districts

150-foot Residential buffers

1,000-foot k-12 school buffer

500-foot Buffer for all childcare uses,
colleges and universities, parks and
playgrounds, libraries, hospitals,
nursing homes



Next Steps

- ZAP and Planning Board to vote on proposed zoning amendment
- City Council vote
- If adopted zoning amendment would be effective as of April 23, 2021